

2001-292-8

SECTION 8. (a) A bylaw adopted by the board of correction before October 1, 1980, (the date on which the enactment of IC 11-8-2-3 became effective) is void.

(b) IC 11-8-2-3, as amended by this act, applies only to resolutions, directives, and other statements of the department of correction, including the commissioner, adopted or amended after June 30, 2001. However, the board of correction may review and make recommendations for change for any resolution, directive, or other statement of the department of correction, including the commissioner, relating to departmental organization or policy.

2001-295-3

SECTION 3. (a) Notwithstanding IC 8-5-15-3, as amended by this act, not later than August 1, 2001, the district shall post in each commuter station in the district a notice of the opening on the commuter transportation district board of trustees. The notice must announce the opening for an initial passenger member on the board of trustees and provide information on submitting a letter of interest. The notice must state the period in which the passenger must submit a letter of interest. The notice must remain posted until October 1, 2001. Not later than November 1, 2001, the governor shall appoint the initial passenger member selected from among the passengers who submitted a letter of interest.

(b) Notwithstanding IC 8-5-15-3, as amended by this act, not later than November 1, 2001, the governor shall appoint an employee representative to the commuter transportation district board.

(c) This SECTION expires January 1, 2003.

2002-1-163

SECTION 163. (a) Not later than September 1, 2001, the office of Medicaid policy and planning shall develop a plan for the contracting of a pharmaceutical benefit management (PBM) program for the Medicaid prescription drug program and report to the budget committee.

(b) The PBM program described in subsection (a) must include the following:

- (1) Efficient processing of Medicaid pharmaceutical claims.
- (2) Real time eligibility verification.
- (3) Point of service pharmacy drug utilization review consisting of:
 - (A) drug to drug interactions;
 - (B) drug to disease interactions;
 - (C) drug refill notifications; and
 - (D) other prescription drug compliance measures.
- (4) Patient interventions focused on clinically appropriate prescribing and medication use.
- (5) Identification of fraudulent claims at the pharmacy and patient level.
- (6) Prescriber education focused on drug utilization in accordance with IC 12-15-35.

(c) The PBM program shall, to the greatest extent possible:

(1) capture data in National Council on Pharmacy Data Processing (NCPDP) format; and

(2) make claims available to the office and the drug utilization review board established by IC 12-15-35-19 for further analysis.

(d) Not later than February 1, 2002, the office shall contract with an independent contractor who shall analyze and report on the cost savings and any increased expenses resulting from the PBM program. The contractor shall provide the report required under this subsection to the budget committee and the select joint commission on Medicaid oversight:

(1) not later than June 1, 2002, for the period of September 1, 2001, through April 30, 2002; and

(2) not later than February 1, 2003, for the period of May 1, 2002, through December 31, 2003.

(e) The report required under subsection (d) must also include recommendations on:

(1) improvements in the delivery of PBM services; and

(2) increased cost efficiencies for the state Medicaid prescription drug program.

(f) This SECTION replaces IC 12-15-31-5, as added by P.L.291-2001, SECTION 6 (effective July 1, 2001), which is repealed by this act because IC 12-15-31 was repealed by P.L.291-2001, SECTION 211 (effective upon passage). The duties imposed by this SECTION are a continuation of the duties that were initially imposed by IC 12-15-31-5, as added by P.L.291-2001.

(g) This SECTION expires September 1, 2002.

2002-1-164

SECTION 164. (a) The definitions set forth in IC 5-10.3-11 apply throughout this SECTION.

(b) Notwithstanding the amendments made to IC 5-10.3-11-4 by this act, in calendar year 2001, the state board shall make distributions from the pension relief fund to eligible units of local government both under IC 5-10.3-11-4, as in effect before amendment by this act, and under IC 5-10.3-11-4, as in effect after amendment by this act. However, the distributions to be made under IC 5-10.3-11-4, as in effect after amendment by this act, shall be made in one (1) installment before December 1, 2001. To the extent that a distribution under this SECTION is paid in November 2001 or in 2002, that distribution must be placed in the unit's account established by IC 5-10.3-11-6, as added by this act. Distributions made to an eligible unit and paid to the unit's account established by IC 5-10.3-11-6, as added by this act, under this SECTION:

(1) shall be treated as additional revenue for the purpose of fixing the eligible unit's budget for the calendar year during which an amount is paid to the eligible unit from its account under IC 5-10.3-11-6, as added by this act; and

(2) may not be used as a reason to reduce the eligible unit's maximum or actual property tax levy under IC 6-1.1-18.5.

(c) IC 5-10.3-11-4, as amended by this act, applies beginning with

distributions that are determined and made in 2001. To comply with this subsection, the eligible unit must comply with all of the following:

- (1) If the eligible unit used county adjusted gross income tax or county option income tax revenues in 1998 for total pension payments, the eligible unit must expend at least the same amount of county adjusted gross income tax or county option income tax revenues in each year after 2000 and before 2008 for total pension payments.
- (2) If the eligible unit used ad valorem property tax revenues in 1998 for total pension payments, the eligible unit must expend at least the same amount of ad valorem property tax revenues in each year after 2000 and before 2008 for total pension payments.
- (3) If the eligible unit used any other revenue in 1998 for total pension payments, the eligible unit must expend at least the same amount of other revenue in each year after 2000 and before 2008 for total pension payments.

If in any year the sum of the total local revenue that an eligible unit must expend under this subsection for total pension payments plus the total state distribution for which the eligible unit is eligible under sections 4, 4.5, and 4.7 of this chapter exceed the eligible unit's total pension payment obligation, the state board shall reduce the distribution under section 4.7 of this chapter in the amount of the excess.

2002-1-165

SECTION 165. (a) This SECTION applies to a school city subject to IC 20-3.1-15-1, as amended by this act.

(b) In negotiations under IC 20-7.5 for the first negotiated agreement after July 1, 2001, the following shall be included as items according to IC 20-7.5-1-4:

- (1) Grievance procedure.
- (2) Teacher evaluation.
- (3) Reduction in force.

(c) This SECTION expires:

- (1) upon the ratification of the agreement described in subsection (b); or
- (2) July 1, 2005;

whichever is the earliest to occur.

2002-1-166

SECTION 166. The following, each as amended by this act, apply to property taxes due and payable after December 31, 2002:

- IC 6-1.1-3-7
- IC 6-1.1-3-7.5
- IC 6-1.1-4-12.6
- IC 6-1-1-8-30
- IC 6-1.1-8-31
- IC 6-1.1-8-32
- IC 6-1.1-10-16
- IC 6-1.1-11-3
- IC 6-1.1-11-3.5

IC 6-1.1-12-28.5
IC 6-1.1-12-35
IC 6-1.1-12-40
IC 6-1.1-12.1-5.5
IC 6-1.1-15-10
IC 6-1.1-15-12
IC 6-1.1-20.8-2
IC 6-1.1-20.8-3
IC 6-1.1-37-7
IC 6-1.1-40-11.

2002-1-167

SECTION 167. (a) Notwithstanding IC 27-8-5.8 and IC 27-13-9-5, both as added by this act:

- (1) an insurer or a health maintenance organization; and
- (2) the agents, contractors, or administrators, including pharmacy benefits managers, of an insurer or a health maintenance organization;

are not required to issue prescription drug information cards or other technology that meets the requirements established under IC 27-8-5.8 and IC 27-13-9-5, both as added by this act, for a contract issued or renewed before July 1, 2002.

(b) This SECTION expires July 1, 2002.

2002-1-168

SECTION 168. (a) Notwithstanding IC 20-10.1-25.3-11, as amended by this act, if the technology plan of the Indiana School for the Deaf or the Indiana School for the Blind, or both, is approved by the department of education under IC 20-10.1-25.3, as amended by this act, and the department has determined that the respective school qualifies for a technology plan grant, the respective school or schools shall be included in the next group of school corporations to which the department distributes technology plan grants.

(b) This SECTION expires July 1, 2005.

2002-3-5

SECTION 5. (a) IC 35-42-4-4, IC 35-49-1-3, and IC 35-49-3-3, all as amended by this act, apply only to crimes committed after June 30, 2002.

(b) The seizure of an item under IC 34-24-1-1(a)(10), as amended by this act, applies only to offenses committed under IC 35-42-4-4, as amended by this act, after June 30, 2002.

2002-8-4

SECTION 4. IC 6-3-1-3.5, as amended by this act, applies to taxable years beginning after December 31, 2000.

2002-14-11

SECTION 11. (a) Notwithstanding IC 25-20.5-1-15, as added by this act, an individual who applies for certification to the Indiana hypnotist committee before January 1, 2005, may take the examination,

notwithstanding the individual's failure to meet the requirements of IC 25-20.5-1-11(a)(1)(C), as amended by this act, if the individual meets the other requirements under IC 25-20.5-1-11, as amended by this act, and has had at least ten (10) years of continued experience in hypnotism or has completed before July 1, 1997, a course in hypnotism from a state approved school that included less than three hundred (300) classroom hours.

(b) This SECTION expires July 1, 2005.

2002-16-22

SECTION 22. Notwithstanding IC 36-8-16.5-18, as amended by this act, a member appointed to the wireless enhanced 911 advisory board under IC 36-8-16.5-18(c)(2), before its amendment by this act, or under IC 36-8-16.5-18(c)(3), before its amendment by this act, shall continue to serve on the board until the expiration of the member's term. The governor may not make a reappointment to any vacancy in the board under IC 36-8-16.5-18(c)(2), as amended by this act, or under IC 36-8-16.5-18(c)(3), as amended by this act, until the total number of members of the board complies with the total number of members of the board required by IC 36-8-16.5-18, as amended by this act.

2002-18-1

SECTION 1. (a) The state department of health established by IC 16-19-1-1 shall report quarterly to the select joint commission on Medicaid oversight established by IC 2-5-26-3 concerning licensure inspections of health facilities under IC 16-28. The report must include the following information:

- (1) The number of:
 - (A) inspections completed;
 - (B) evening and weekend inspections;
 - (C) citations issued per inspection, including the scope and severity of the citations for each type of inspection;
 - (D) complaints received, investigated, and substantiated; and
 - (E) complaints in each priority level.
- (2) The response time of the state department of health in investigating complaints.
- (3) A summary of the:
 - (A) citations that have been appealed to:
 - (i) an informal dispute resolution process; or
 - (ii) an administrative law judge; and
 - (B) results of the appeals.
- (4) An analysis of citations by scope and severity for each survey region.
- (5) A comparison of:
 - (A) the statistics in subdivisions (1) through (4); with
 - (B) similar statistics, where available, for:
 - (i) other states in Region V of the federal Centers for Medicare and Medicaid Services; and
 - (ii) the entire United States.

(b) This SECTION expires July 1, 2007.

2002-27-1

SECTION 1. (a) For purposes of this SECTION:

- (1) "commission" means a redevelopment commission acting pursuant to IC 36-7-25; and
- (2) "construction in process" means tangible personal property not placed in service, as defined in rules of the department of local government finance.

(b) This SECTION applies to a taxpayer that:

- (1) is located in a township having a population of more than one thousand nine hundred (1,900) but less than two thousand (2,000) located in a county having a population of more than thirty thousand seven hundred (30,700) but less than thirty-one thousand (31,000); and
- (2) has recorded on its books and records a cost of more than one hundred ninety million dollars (\$190,000,000) of construction in process subject to assessment for the March 1, 2002, assessment date.

(c) The assessed value of construction in process for the March 1, 2002, assessment date is ten percent (10%) of the cost recorded on the taxpayer's books and records that is attributable to the personal property, including all expenses incurred in acquiring or producing the personal property.

(d) An agreement, or any amendment to an agreement, between the commission and a taxpayer entered into pursuant to IC 36-7-25-6 that:

- (1) limits the taxpayer's rights to challenge the taxpayer's assessment, property tax rates, or property taxes, or that guarantees, enhances, or otherwise further secures bonds or lease obligations of the commission; and
- (2) provides for a property tax lien in favor of the commission with respect to payments to be made under the agreement;

shall be secured by, treated in the same manner as, and have the same priority as real property taxes for purposes of IC 6-1.1-22-13.

(e) A property tax lien described in subsection (d) is effective as of the date the agreement or amendment was executed, without any further action.

(f) This SECTION expires January 1, 2004.

2002-32-2

SECTION 2. (a) The auditor of state shall immediately transfer to the state general fund any money that:

- (1) after January 1, 2002, and before the effective date of this act was paid to the state under an agreement described in IC 4-8.1-1-7, as added by this act; and
- (2) was deposited in a fund other than the state general fund.

(b) This SECTION expires July 1, 2003.

2002-36-1

SECTION 1. (a) This SECTION applies to a township having a population of more than fifty thousand (50,000) but less than one hundred thousand (100,000) located in a county having a population of more than four hundred thousand (400,000) but less than seven

hundred thousand (700,000).

(b) Notwithstanding IC 36-1-8-4, a township may, before December 31, 2002, transfer not more than eighty-six thousand three hundred seventeen dollars (\$86,317) from the township's general fund to the township's fire fund. The township is not required to return the money to the general fund.

(c) With respect to property taxes first due and payable after December 31, 2002, a township may:

(1) reduce the maximum permissible levy for the township's general fund under IC 6-1.1-18.5 by not more than one hundred ten thousand dollars (\$110,000); and

(2) increase the maximum permissible levy for the township's fire fund under IC 6-1.1-18.5 by the amount by which the township reduces the maximum permissible levy for the township's general fund under subdivision (1).

(d) This SECTION expires December 31, 2003.

2002-37-15

SECTION 15. The provisions of this act are severable as provided in IC 1-1-1-8.

2002-39-6

SECTION 6. It is the intent of the general assembly to make contempt and all other remedies for the enforcement of a child support order available to assist in the enforcement of a child support order regardless of whether the child for whom the child support was ordered is emancipated. For this purpose, the general assembly is establishing a procedure for the enforcement of a child support arrearage through an order directing a person to pay a child support arrearage. IC 31-16-12-1 and IC 31-16-12-3, both as amended by this act, apply to a child support arrearage that exists after the effective date of this SECTION regardless of when the arrearage accrued.

2002-40-4

SECTION 4. (a) As used in this SECTION, "department" refers to the department of education established by IC 20-1-1.1-2.

(b) The department shall establish minimum standards for student safety, advisory committees, teacher licensing under rules adopted by the professional standards board, and curriculum for the secondary level vocational education courses approved under IC 20-1-18.4-3, as amended by this act, before January 1, 2003.

(c) Notwithstanding IC 20-10.1-6-2, as amended by this act, and IC 20-10.1-6-14, as amended by this act, a governing body or a management board for a joint program may not include an approved secondary level vocational education course in the curriculum until the department has established minimum standards for the course under this SECTION.

(d) This SECTION expires January 2, 2003.

2002-41-5

SECTION 5. A new or renewal beer dealer permit issued or

transferred to a package liquor store after June 30, 1997, and until the effective date of this act is legalized.

2002-51-13

SECTION 13. (a) Not later than May 1 of each of the calendar years 2002, 2003, and 2004, a health maintenance organization shall file an informational report for the immediately preceding calendar year. The report must set forth the types of information that will be required under IC 27-1-36-25 after December 30, 2004.

(b) Not later than May 1 of each of the calendar years 2002, 2003, and 2004, a limited service health maintenance organization shall file an informational report for the immediately preceding calendar year. The report must set forth the types of information that will be required under IC 27-1-36-25 after December 30, 2004.

(c) This SECTION expires December 31, 2005.

2002-65-2

SECTION 2. IC 5-22-23, as added by this act, does not apply to solicitations for telephone calling systems (including local, interlata, intralata, and interstate long distance services) for confined offenders made before the effective date of this act.

2002-69-4

SECTION 4. IC 10-1-2-11, as added by this act, applies to the child or spouse of a regular, paid police employee of the state police department if the regular police employee of the state police department was permanently and totally disabled by a catastrophic personal injury that:

- (1) was sustained in the line of duty; and
- (2) permanently prevents the employee from performing any gainful work;

before, on, or after July 1, 2002.

2002-71-2

SECTION 2. IC 35-45-2-5, as added by this act, applies only to acts committed after June 30, 2002.

2002-74-12

SECTION 12. (a) Except as provided in this SECTION, IC 13-21-4 and IC 13-21-5, both as in effect before the effective date of this act, apply to all solid waste management district withdrawal, withdrawal and dissolution, or removal proceedings of all counties that comprise a solid waste management district if:

- (1) a county has, by adoption of a resolution by the county executive before the effective date of this act, determined to:

- (A) withdraw from a joint solid waste management district consisting of more than two (2) counties under IC 13-21-4-2(a); or

- (B) withdraw from and dissolve a joint solid waste management district consisting of only two (2) counties under IC 13-21-4-2(b); or

(2) two (2) or more counties that are part of a joint solid waste management district have, by adoption of a resolution by the executives of each county before the effective date of this act, determined to remove a county from the joint district under IC 13-21-4-2(c).

(b) A county referred to in subsection (a)(1) may, by adoption of a resolution by the county executive before May 1, 2002, make an election to proceed with the withdrawal or the withdrawal and dissolution under IC 13-21-4 and IC 13-21-5, both as amended by this act. After a county makes an election under this subsection to proceed under IC 13-21-4 and IC 13-21-5, both as amended by this act, all counties that comprise the solid waste management district shall proceed with the withdrawal or the withdrawal and dissolution under IC 13-21-4 and IC 13-21-5, both as amended by this act.

(c) Two (2) or more counties referred to in subsection (a)(2) may, by adoption of a resolution by the executives of each county before May 1, 2002, make an election to proceed with the removal under IC 13-21-4 and IC 13-21-5, both as amended by this act. After a county makes an election under this subsection to proceed under IC 13-21-4 and IC 13-21-5, both as amended by this act, all counties that comprise the solid waste management district shall proceed with the removal under IC 13-21-4 and IC 13-21-5, both as amended by this act.

(d) This SECTION expires January 1, 2004.

2002-76-6

SECTION 6. IC 35-46-3-8.5 and IC 35-46-3-9.5, both as added by this act, apply only to acts committed after June 30, 2002.

2002-79-6

SECTION 6. (a) Notwithstanding IC 12-21-2-3(a)(5), as amended by this act, before July 1, 2003, the director of the division of mental health and addiction shall adopt rules under IC 4-22-2 establishing geographic primary service areas for community mental health centers (as defined in IC 12-7-2-38) that recognize the community mental health centers' geographic primary service area boundaries in effect on

(b) This SECTION expires July 1, 2003.

2002-80-2

SECTION 2. IC 35-50-2-9, as amended by this act, applies only to a conviction for murder that occurs after the effective date of this act, including a conviction entered as a result of a retrial of a person, regardless of when the offense occurred.

2002-84-12

SECTION 12. IC 30-2-14, as added by this act, applies to every trust or decedent's estate existing on or created after January 1, 2003, except as otherwise expressly provided:

- (1) in the decedent's will;
- (2) by the terms of the trust; or
- (3) in IC 30-2-14, as added by this act.

2002-88-4

SECTION 4. IC 35-42-2-6, as amended by this act, and IC 35-45-16, as added by this act, apply only to crimes committed after June 30, 2002.

2002-89-2

SECTION 2. (a) IC 6-1.1-18.5-13, as amended by this act, applies to property taxes first due and payable after December 31, 2002.

(b) This SECTION expires January 1, 2004.

2002-90-529

SECTION 529. A reference to the state board of tax commissioners is considered to be a reference to the department of local government finance if the reference is contained in a statute that:

- (1) was enacted before January 1, 2002;
- (2) has not been codified as part of the Indiana Code; and
- (3) requires the state board of tax commissioners to take an action after December 31, 2001.

2002-94-5

SECTION 5. (a) IC 9-24-17-1, IC 9-24-17-8, and IC 29-2-16-4, all as amended by this act, do not affect the validity of an anatomical gift made before July 1, 2002.

(b) This SECTION expires July 1, 2007.

2002-95-1

SECTION 1. (a) As used in this SECTION, "commission" refers to the Indiana commission on mental health established by this SECTION.

(b) The Indiana commission on mental health is established.

(c) The commission consists of sixteen (16) members determined as follows:

- (1) The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the commission.
- (2) The governor shall appoint thirteen (13) lay members, not more than seven (7) of whom may be from the same political party, to serve on the commission as follows:
 - (A) Four (4) at-large members, not more than two (2) of whom may be from the same political party.
 - (B) Two (2) consumers of mental health services.
 - (C) Two (2) representatives of different advocacy groups for consumers of mental health services.
 - (D) Two (2) members of families of consumers of mental health services.
 - (E) Three (3) members who represent mental health providers. One (1) of the members appointed under this clause must be a representative of a for-profit psychiatric provider. One (1) of the members appointed under this clause must be a physician licensed under IC 25-22.5.

(d) Except for the members appointed under subsection (c)(2)(E), the members of the commission may not have a financial interest in the subject matter to be studied by the commission.

(e) The chairman of the legislative council shall designate a legislative member of the commission to serve as chairman of the commission.

(f) Each legislative member and each lay member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as legislative and lay members, respectively, on interim study committees established by the legislative council.

(g) The commission shall do the following:

(1) Study and evaluate the funding system for managed care providers of mental health services.

(2) Review and make specific recommendations regarding the provision of mental health services delivered by community managed care providers and state operated hospitals.

(3) Review and make recommendations regarding any unmet need for public supported mental health services in any specific geographic area or throughout Indiana. In formulating these recommendations, the commission shall consider the need, feasibility, and desirability of including additional organizations in the network of managed care providers.

(4) Review the results of the actuarial study which must be submitted by the division of mental health and addiction to the commission not later than thirty (30) days after completion of the actuarial study.

(5) Make recommendations regarding the application of the actuarial study by the division of mental health and addiction to the determination of service needs, eligibility criteria, payment, and prioritization of service.

(h) The commission shall:

(1) monitor the implementation of managed care programs for all populations of the mentally ill that are eligible for care that is paid for in part or in whole by the state; and

(2) make recommendations regarding the commission's findings under subdivision (1) to the appropriate division or department.

(i) This SECTION expires January 1, 2004.

2002-96-4

SECTION 4. (a) IC 27-8-5-26, as amended by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2002.

(b) IC 27-13-7-14, as amended by this act, applies to a contract with a health maintenance organization that is entered into, delivered, amended, or renewed after June 30, 2002.

(c) This SECTION expires June 30, 2006.

2002-96-5

SECTION 5. (a) The department of insurance shall:

(1) study the application of the requirements that apply to group

- policies specified under IC 27-8-5-16.5(d), as amended by this act, to additional group policies; and
 - (2) report the results of the study under subdivision (1) to the legislative council not later than December 31, 2002.
- (b) This SECTION expires June 30, 2003.

2002-99-12

- SECTION 12. (a) Before July 1, 2003, the air pollution control board shall amend 326 IAC 23 to reflect this act.
- (b) This SECTION expires July 1, 2003.

2002-106-1

SECTION 1. (a) The Indiana prescription drug advisory committee is established to:

- (1) study pharmacy benefit programs and proposals, including programs and proposals in other states; and
 - (2) make initial and ongoing recommendations to the governor for programs that address the pharmaceutical costs of low-income senior citizens.
- (b) The committee consists of eleven (11) members appointed by the governor and four (4) legislative members. The term of each member expires December 31, 2005. The members of the committee appointed by the governor are as follows:
- (1) A physician with a specialty in geriatrics.
 - (2) A pharmacist.
 - (3) A person with expertise in health plan administration.
 - (4) A representative of an area agency on aging.
 - (5) A consumer representative from a senior citizen advocacy organization.
 - (6) A person with expertise in and knowledge of the federal Medicare program.
 - (7) A health care economist.
 - (8) A person representing a pharmaceutical research and manufacturing association.
 - (9) A township trustee.
 - (10) Two (2) other members as appointed by the governor.

The four (4) legislative members shall serve as nonvoting members. The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the committee.

(c) The governor shall designate a member to serve as chairperson. A vacancy with respect to a member shall be filled in the same manner as the original appointment. Each member is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties. The expenses of the committee shall be paid from the Indiana prescription drug account created by IC 4-12-8, as added by this act. The office of the secretary of family and social services shall provide staff for the committee. The committee is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3. The committee is a governing body for purposes of IC

5-14-1.5

(d) Not later than September 1, 2004, the committee shall make program design recommendations to the governor and the family and social services administration concerning the following:

- (1) Eligibility criteria, including the desirability of incorporating an income factor based on the federal poverty level.
- (2) Benefit structure.
- (3) Cost-sharing requirements, including whether the program should include a requirement for copayments or premium payments.
- (4) Marketing and outreach strategies.
- (5) Administrative structure and delivery systems.
- (6) Evaluation.

(e) The recommendations shall address the following:

- (1) Cost-effectiveness of program design.
- (2) Coordination with existing pharmaceutical assistance programs.
- (3) Strategies to minimize crowd-out of private insurance.
- (4) Reasonable balance between maximum eligibility levels and maximum benefit levels.
- (5) Feasibility of a health care subsidy program where the amount of the subsidy is based on income.
- (6) Advisability of entering into contracts with health insurance companies to administer the program.

(f) The committee may not recommend the use of funds from the Indiana prescription drug account for a state prescription drug benefit for low-income senior citizens if there is a federal statute or program providing a similar prescription drug benefit for the benefit of low-income senior citizens.

(g) This SECTION expires December 31, 2005.

2002-107-33

SECTION 33. (a) As used in this SECTION, "advisory committee" refers to the controlled substances advisory committee established by IC 35-48-2-1(f), as amended by this act.

(b) The advisory committee shall review the records maintained for the previous year by the central repository for controlled substances designated by the state police department under IC 35-48-7-10 regarding the prescribing of stimulant medications approved by the federal Food and Drug Administration for the treatment of attention deficit disorder or attention deficit hyperactivity for children less than eighteen (18) years of age.

(c) Not later than October 1, 2002, the advisory committee shall submit a report containing information obtained under subsection (b) to the drug utilization review board established by IC 12-15-35-19.

(d) The report required under subsection (c) may not contain any information that:

- (1) may be used to identify a child for whom a stimulant medication was prescribed; or
- (2) indicates that a particular physician's prescribing of stimulant medications to a child was inappropriate.

(e) Any meeting held by the advisory committee to comply with this SECTION is not open to the public.

(f) Unless otherwise provided by law, records reviewed by the advisory committee to comply with this SECTION are not public records.

(g) The drug utilization review board shall review:

(1) the report submitted under subsection (c);

(2) information submitted under:

12, as added by this act;

(B) IC 27-8-30, as added by this act; and

(C) IC 27-13-42, as added by this act;

(3) information submitted by the office of Medicaid policy and planning regarding the prescribing of stimulant medications approved by the federal Food and Drug Administration for the treatment of attention deficit disorder and attention deficit hyperactivity disorder for children less than eighteen (18) years of age who participate in:

(A) Medicaid under IC 12-15; or

(B) the children's health insurance program under IC 12-17.6; and

(4) any other relevant information concerning the prescribing of stimulant medications approved by the federal Food and Drug Administration for the treatment of attention deficit disorder or attention deficit hyperactivity for children less than eighteen (18) years of age.

(h) Before December 31, 2002, the drug utilization review board shall submit a report analyzing the information reviewed under subsection (g) to the following:

(1) The select joint commission on Medicaid oversight established by IC 2-5-26-3.

(2) The legislative council.

(3) The medical licensing board of Indiana established by IC 25-22.5-2-1.

(i) The report required under subsection (h) must include the following:

(1) A comparison of the percentage of children receiving prescriptions for stimulant medications who are:

(A) participating in Medicaid (IC 12-15) or the children's health insurance program (IC 12-17.6); and

(B) not participating in a program described in clause (A).

(2) Scientifically determined estimates of the prevalence of major disorders in children who are treated with stimulant medications.

(3) A statement by the advisory committee regarding whether the information provided under subdivisions (1) and (2) indicates that stimulant medications are being disproportionately prescribed for children described in subdivision (1)(A).

(4) Identification of any pattern of prescribing of stimulant medications for children contrary to the most recent guidelines adopted by the American Academy of Pediatrics and the American Academy of Child and Adolescent Psychiatry.

(j) This SECTION expires December 31, 2002.

2002-107-34

SECTION 34. (a) The governor shall appoint a psychiatrist with expertise in child and adolescent psychiatry as an additional member of the controlled substances advisory committee under IC 35-48-2-1, as amended by this act, before July 1, 2002.

(b) This SECTION expires July 1, 2002.

2002-107-35

(Repealed by P.L.75-2004, SEC.8.)

2002-107-36

SECTION 36. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning.

(b) The office shall develop a federal Medicaid waiver application under which a prescription drug program may be established or implemented to provide access to prescription drugs for low-income senior citizens.

(c) Before the office may submit an application for a federal Medicaid waiver that will have an effect on the Indiana prescription drug program established under IC 12-10-16, the following must occur:

(1) The office shall submit the proposed Medicaid waiver to the prescription drug advisory committee established under this act.

(2) The prescription drug advisory committee must review, allow public comment, and approve the proposed Medicaid waiver.

(d) A prescription drug program established or implemented by the office or a contractor of the office under this SECTION may only limit access to prescription drugs for prescription drug program recipients to the extent that restrictions are in place in the Medicaid program on the date of enactment of this act.

(e) Changes to a prescription drug program that:

(1) is established or implemented by the office or a contractor of the office under this SECTION; and

(2) uses money from the Indiana prescription drug account established under IC 4-12-8-2;

must be approved by the prescription drug advisory committee established under this act.

(f) Before July 1, 2002, the office shall apply to the United States Department of Health and Human Services for approval of any waiver necessary under the federal Medicaid program to provide access to prescription drugs for low income senior citizens.

(g) A Medicaid waiver developed under this SECTION must limit a prescription drug program's state expenditures to funding appropriated to the Indiana prescription drug account established under IC 4-12-8-2 from the Indiana tobacco master settlement agreement fund.

(h) The office may not implement a waiver under this SECTION until the office files an affidavit with the governor attesting that the federal waiver applied for under this SECTION is in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(i) If the office receives a waiver under this SECTION from the

United States Department of Health and Human Services and the governor receives the affidavit filed under subsection (f), the office shall implement the waiver not more than sixty (60) days after the governor receives the affidavit.

2002-107-37

SECTION 37. (a) There is appropriated from the Indiana tobacco master settlement agreement fund (IC 4-12-1-14.3) fifteen million five hundred sixteen thousand six hundred eighteen dollars (\$15,516,618) to the Indiana prescription drug account established under IC 4-12-8-2. The budget agency shall allot the money appropriated under this subsection for the Indiana prescription drug account.

(b) Notwithstanding IC 4-12-1-14.3, the amount appropriated under subsection (a) is the remainder of the amount appropriated under P.L.21-2000, SECTION 12 for the Indiana prescription drug program that was not placed in the Indiana prescription drug account and does not count against the maximum amount of expenditures, transfers, or distributions that may be made from the Indiana tobacco master settlement agreement fund during the state fiscal year.

(c) This SECTION expires July 1, 2004.

2002-107-38

SECTION 38. (a) As used in this SECTION, "office" refers to the office of the secretary of family and social services.

(b) As used in this SECTION, "point of sale system" means a system that uses an electronic hardware device that is:

- (1) operated by a pharmacist on behalf of the office; and
- (2) capable of:
 - (A) reading information on a card that is issued by the office; and
 - (B) providing an immediate prescription drug benefit to the eligible recipient.

(c) Before July 1, 2002, the office shall establish and implement a point of sale system for the Indiana prescription drug program established under IC 12-10-16.

(d) This SECTION expires July 1, 2002.

2002-107-39

SECTION 39. (a) As used in this SECTION, "office" refers to the office of Medicaid policy and planning established under IC 12-8-6-1.

(b) Before September 1, 2002, the office shall apply to the United States Department of Health and Human Services to do the following:

- (1) Amend the state's waiver under 42 U.S.C. 1396n(b)(1) to include the aged, blind, and disabled in the managed care program under IC 12-15-12.
- (2) Amend the state Medicaid plan in accordance with this act.

(c) The office may not implement the amendments under subsection (b) until the office files an affidavit with the governor attesting that the amendments applied for under this SECTION have been approved. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the amendments are approved.

(d) If the United States Department of Health and Human Services approves the amendments applied for under this SECTION and the governor receives the affidavit filed under subsection (c), the office shall implement the amendments not more than sixty (60) days after the governor receives the affidavit.

(e) The office may adopt rules under IC 4-22-2 to implement this SECTION.

(f) This SECTION expires December 31, 2008.

2002-107-40

SECTION 40. The chairperson shall make the appointments required under IC 12-15-35-20.5, as added by this act, not more than thirty (30) days after the effective date of this act.

2002-107-41

SECTION 41. (a) As used in this SECTION, "committee" refers to the therapeutics committee established by IC 12-15-35-20.5, as added by this act.

(b) The initial terms of office for the members of the committee are as follows:

(1) Of the members appointed under IC 12-15-35-20.5(c)(1), as added by this act:

(A) one (1) member shall be appointed for a term of one (1) year;

(B) two (2) members shall be appointed for a term of two (2) years; and

(C) two (2) members shall be appointed for a term of three (3) years.

(2) Of the members appointed under IC 12-15-35-20.5(c)(2), as added by this act:

(A) one (1) member shall be appointed for a term of two (2) years; and

(B) one (1) member shall be appointed for a term of three (3) years.

(c) This SECTION expires December 31, 2003.

2002-108-2

SECTION 2. IC 35-43-1-2, as amended by this act, applies only to acts committed after June 30, 2002.

2002-111-11

SECTION 11. (a) As used in this SECTION, "director" refers to the director of the division of special education of the department of education.

(b) The director shall coordinate a task force to review services and funding sources available for children and young adults with disabilities.

(c) The members of the task force established under subsection (b) are as follows:

(1) The director or the director's designee, who shall serve as chairperson of the task force.

- (2) The secretary of the office of family and social services, or the secretary's designee.
 - (3) The director of the division of family and children, or the director's designee.
 - (4) The director of the division of mental health and addiction, or the director's designee.
 - (5) The director of the division of disability, aging, and rehabilitative services, or the director's designee.
 - (6) The administrator of the office of Medicaid policy and planning, or the administrator's designee.
 - (7) The commissioner of the state department of health, or the commissioner's designee.
 - (8) The deputy commissioner of the department of correction for juvenile services, or the deputy commissioner's designee.
 - (9) A member of the house of representatives, appointed by the speaker of the house of representatives.
 - (10) A member of the senate, appointed by the president pro tempore of the senate.
 - (11) A representative of a community mental health center, appointed by the governor.
 - (12) A representative of a local education agency, appointed by the state superintendent of public instruction.
 - (13) A parent advocate, appointed by the governor.
 - (14) A special education teacher, appointed by the governor.
- (d) The task force established under subsection (b) shall study and identify methods to achieve the following goals:
- (1) Coordinating, integrating, and streamlining service delivery to children with disabilities and the families of children with disabilities.
 - (2) Maximizing the use of available federal, state, and local fiscal resources to provide an array of services to children with disabilities and the families of children with disabilities.
- (e) Before November 1, 2002, the task force established under subsection (b) shall submit a report to the executive director of the legislative services agency, the state superintendent of public instruction, the secretary of the office of family and social services, the commissioner of the state department of health, and the commissioner of the department of correction. The report must contain the following information:
- (1) Methods identified under subsection (d).
 - (2) Suggested legislative changes to accomplish the goals set forth under subsection (d).
 - (3) Suggested agency policy changes to accomplish the goals set forth under subsection (d).
 - (4) Proposed local pilot programs to test the methods set forth under subdivision (1).
- (f) This SECTION expires November 2, 2002.

2002-111-12

SECTION 12. Notwithstanding IC 21-3-1.8-6 and IC 21-3-10-11:

- (1) a school corporation is entitled to receive transfer tuition

under IC 20-8.1, grants under IC 20-10.1-28, grants under IC 20-10.1-31, and distributions under IC 21; and

(2) a person shall be treated as an eligible student under IC 20-11-5-2;

after December 31, 2002, and before the effective date of this SECTION as if IC 21-3-1.8-1.1 (at-risk index) and IC 21-3-10 (special education grants) had not expired on January 1, 2002. A distribution of money or a determination that a person is an eligible student in conformity with this SECTION is ratified and validated to the same extent as if this SECTION had been in effect at the time the distribution or determination was made.

2002-113-9

SECTION 9. (a) If under IC 4-4-6.1-1(e), as amended by this act, the president of the Association of Indiana Enterprise Zones designates the executive director of an enterprise zone established under IC 4-4-6.1-3 to serve as a nonvoting, advisory member of the enterprise zone board created under IC 4-4-6.1-1, as amended by this act, the president shall make the designation to the enterprise zone board not later than September 1, 2002.

(b) This SECTION expires January 1, 2003.

2002-116-30

SECTION 30. IC 35-43-1-2, as amended by this act, applies only to acts committed after June 30, 2002.

2002-118-3

SECTION 3. IC 35-42-4-6, as amended by this act, applies only to acts committed after June 30, 2002.

2002-119-33

(Repealed by P.L.141-2003, SEC.24.)

2002-120-51

SECTION 51. Notwithstanding any other provision of this act, the following are not prohibited or limited:

(1) A levy of taxes under IC 12-16-14-1(1) before July 1, 2004 or the collection of those taxes after July 1, 2004.

(2) An assessment of taxes under IC 12-16-14-1(2) before July 1, 2004, or the collection and allocation of those taxes after July 1, 2004.

2002-120-52

SECTION 52. (a) As used in this SECTION, "office" refers to the office of the secretary of family and social services established by IC 12-8-1-1.

(b) If necessary, the office shall apply to the federal Health Care Financing Administration for approval of the necessary state plan amendment and demonstration waiver (42 U.S.C. 1396 et seq.) to implement the uninsured parents program established under IC 12-17.7, as added by this act, as a non-open ended entitlement

program that takes into consideration the fact that enrollment levels must be adjusted to prevent state expenditures beyond revenues dedicated to fund the program.

(c) The office may not implement a state plan amendment or a waiver until the office files an affidavit with the governor attesting that both the amendment and waiver applied for under this SECTION are in effect. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that both the amendment and the waiver are approved.

(d) If the office receives approval of the state plan amendment and waiver request from the federal Health Care Financing Administration and the governor receives the affidavit under subsection (c), the office shall implement the state plan amendment and waiver thirty (30) days after the governor receives the affidavit under subsection (c).

(e) Notwithstanding subsection (d), the office shall not in any event implement the state plan amendment and waiver:

(1) before:

(A) January 1, 2004; and

(B) requisite funds for the program's implementation are available or projected to be available, as determined by the office;

(2) if federal law does not allow an upper payment limit designated for Medicaid reimbursement to nonstate government owned or operated hospitals equal to one hundred fifty percent (150%) of a reasonable estimate of reimbursement under Medicare payment principles; or

(3) after June 30, 2005.

(f) As soon as possible after the date that the office implements the state plan amendment and waiver, the office shall:

(1) publish a public notice; and

(2) adopt a rule under IC 4-22-2;

stating the implementation date of the uninsured parents program.

(g) If the state plan amendment and waiver are not implemented before July 1, 2005, the office may not implement IC 12-17.7, as added by this act.

(h) This SECTION expires July 2, 2005.

2002-120-53

SECTION 53. (a) For purposes of reimbursement under IC 12-15-15-1.1, as amended by this act, for the state fiscal year ending June 30, 2001, the office shall do the following:

(1) Include in the office's calculation under STEP TWO of IC 12-15-15-1.1(b), payments made under IC 12-15-15-1.1, as amended by P.L.283-2001, SECTION 19, attributable to inpatient hospital services provided during the state fiscal year ending June 30, 2001.

(2) Include in the office's calculation under STEP TWO of IC 12-15-15-1.1(f), payments made under IC 12-15-15-1.1, as amended by P.L.283-2001, SECTION 19, attributable to inpatient hospital services provided during the state fiscal year ending June 30, 2001.

- (3) Reimburse in a single payment before December 31, 2002.
- (b) This SECTION expires December 31, 2003.

2002-120-54

SECTION 54. (a) For purposes of reimbursement under IC 12-15-15-1.3, as added by this act, for the state fiscal year ending June 30, 2001, the office shall do the following:

- (1) Include in the office's calculation under STEP TWO of IC 12-15-15-1.3(b), payments made under IC 12-15-15-1.1, as amended by P.L.283-2001, SECTION 19, attributable to outpatient hospital services provided during the state fiscal year ending June 30, 2001.
- (2) Include in the office's calculation under STEP TWO of IC 12-15-15-1.3(f), payments made under IC 12-15-15-1.1, as amended by P.L.283-2001, SECTION 19, attributable to outpatient hospital services provided during the state fiscal year ending June 30, 2001.
- (3) Reimburse in a single payment before December 31, 2002.
- (b) This SECTION expires December 31, 2003.

2002-123-52

SECTION 52. (a) As used in this SECTION, "committee" refers to the interim study committee on terrorism established by this SECTION.

(b) There is established the interim study committee on terrorism. The committee shall study issues related to terrorism.

(c) The committee shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(e) This SECTION expires January 1, 2003.

2002-123-53

SECTION 53. (a) After June 30, 2002, a reference to the powers, duties, or functions of security officers of the Indiana department of administration in any statute or rule shall be treated as a reference to the state police department established by IC 10-1-1-1.

(b) This SECTION expires July 1, 2005.

2002-123-54

SECTION 54. (a) As used in this SECTION, "department" refers to the Indiana department of administration created by IC 4-13-1-2.

(b) As used in this SECTION, "security officer activity" refers to all activities of the department that relate to the department's security officers under IC 4.

(c) As used in this SECTION, "state police" refers to the state police department established by IC 10-1-1-1.

(d) The security officer activity of the department is abolished, and all powers, duties, and functions adhering to the security officer activity of the department or the commissioner of the department are transferred to the state police.

(e) The property and records of the security officer activity of the department are transferred to the state police.

(f) This SECTION expires July 2, 2002.

2002-123-55

SECTION 55. (a) As used in this SECTION, "department" refers to the Indiana department of administration created by IC 4-13-1-2.

(b) As used in this SECTION, "police employee" has the meaning set forth in IC 10-1-1-2.

(c) As used in this SECTION, "security officer activity" refers to all activities of the department that relate to the department's security officers under IC 4.

(d) As used in this SECTION, "state police" refers to the state police department established by IC 10-1-1-1.

(e) The special police employees of the state police assigned to security activities under IC 10-1-1-29 or IC 10-1-1-30, both as added by this act, shall initially be composed of the employees of the department who are employed on June 30, 2002, as part of its security officer activity. Civilian employees of the department that support the security officer activity become employees of the state police.

(f) Except as provided in subsection (g), an employee of the department who becomes a member of the state police under subsection (e) on July 1, 2002:

(1) is entitled to have the employee's service under the department before July 1, 2002, included for the purpose of computing all applicable employment rights and benefits with the security section;

(2) is a member of the state retirement fund or pension plan in which the employee was a member on June 30, 2002; and

(3) if the employee was covered on June 30, 2002, by a labor agreement to which the state is a party, shall continue to be subject to the terms and conditions of the agreement and any successor labor agreements entered into by the state.

(g) An employee of the department who:

(1) becomes a member of the state police under subsection (e); and

(2) becomes a state police officer after fulfilling the law enforcement training requirements and all other requirements of the state police department;

is not entitled to have the employee's service under the department or the security section included for the purpose of computing all applicable employment rights and benefits as a state police officer.

(h) Positions of the department that are used to perform, or are in support of, the security officer activity that are vacant on June 30, 2002, are transferred to the state police.

(i) This subsection does not apply to an employee described in subsection (g). The salary of an employee of the department who becomes a member of the state police under subsection (e) does not change upon transfer to the state police.

(j) This subsection does not apply to an employee described in subsection (g). An employee of the department on June 30, 2002, who

becomes a member of the state police under subsection (e) has the same rank the employee held on June 30, 2002.

(k) All leases and obligations entered into by the department related to the activities of the department's security officers under IC 4 before July 1, 2002, that are legal and valid before July 1, 2002, are legal and valid after June 30, 2002.

2002-123-56

SECTION 56. (a) As used in this SECTION, "security officer activity" refers to all activities of the Indiana department of administration that relate to the department's security officers under IC 4.

(b) Any appropriations made to the Indiana department of administration for security officer activity or in support of security officer activity are transferred to the state police department established by IC 10-1-1-1, as added by this act.

(c) This SECTION expires July 1, 2003.

2002-123-57

SECTION 57. This act does not affect the legality of an enforcement action, including an arrest, performed by a security officer of the Indiana department of administration before July 1, 2002.

2002-123-58

SECTION 58. (a) As used in this SECTION, "officer" means a person who is:

- (1) a security officer with the Indiana department of administration on June 30, 2002; and
- (2) an employee of the state police department assigned to security activities after June 30, 2002;

under the provisions of this act.

(b) The superintendent of the state police department shall make available to an officer law enforcement training:

- (1) required by the superintendent; and
- (2) at a time that enables the officer to complete the training not later than July 1, 2003.

(c) This SECTION expires July 2, 2003.

2002-123-59

SECTION 59. IC 35-43-1-2, IC 35-43-2-2, IC 35-45-1-3, IC 35-45-15-5, IC 35-47-12-1, and IC 35-47-12-2, all as amended by this act, and IC 35-43-5-3.6 and IC 35-47-12-3, both as added by this act, apply only to acts committed after June 30, 2002.

2002-123-60

SECTION 60. (a) Notwithstanding IC 9-24-6-2, as amended by this act, the bureau of motor vehicles commission shall carry out the duties imposed upon it under IC 9-24-6-2, as amended by this act, under interim written guidelines approved by the commissioner of the bureau of motor vehicles.

(b) This SECTION expires on the earlier of the following:

- (1) The date rules are adopted under IC 9-24-6-2.
- (2) December 31, 2002.

2002-123-61

SECTION 61. (a) The general assembly finds that the state needs the construction, equipping, purchasing, leasing, renovation, refurbishing, or alteration of communications system infrastructure (as defined in IC 5-26-5-1, as added by this act).

(b) The general assembly finds that the state will have a continuing need for use and occupancy of the communications system infrastructure described in subsection (a). The general assembly authorizes the state office building commission to provide the communications system infrastructure described in subsection (a) under IC 4-13.5-1 and IC 4-13.5-4, including the borrowing of money or the issuance and sale of bonds, or both, under IC 4-13.5-4.

2002-123-62

SECTION 62. (a) As used in this SECTION, "applicable statute" refers to the following:

- (1) IC 9-29-3-4.
- (2) IC 9-29-3-6.
- (3) IC 9-29-3-7.
- (4) IC 9-29-3-8.
- (5) IC 9-29-3-9.
- (6) IC 9-29-3-10.
- (7) IC 9-29-3-11.
- (8) IC 9-29-3-12.
- (9) IC 9-29-3-14.
- (10) IC 9-29-3-18.
- (11) IC 9-29-15-1.

(b) There is appropriated from the state license branch fund to the integrated public safety communications fund established by IC 5-26-4-1 an amount equal to the result obtained in STEP TWO of the following formula:

STEP ONE: Determine the number of transactions under an applicable statute after December 31, 2001, and before July 1, 2002.

STEP TWO: Multiply the number determined in STEP ONE by one dollar and twenty-five cents (\$1.25).

(c) This SECTION expires July 1, 2003.

2002-131-4

SECTION 4. IC 12-17.2-3.5-10(a), as amended by this act, applies to a provider that begins receiving voucher payments after June 30, 2002.

2002-132-2

SECTION 2. IC 35-46-3-12, as amended by this act, applies only to crimes committed after June 30, 2002.

2002-133-70

SECTION 70. (a) IC 35-46-1-15.1, as amended by this act, and IC 35-47-4-6, as added by this act, apply only to an offense committed after June 30, 2002.

(b) A protective order issued before July 1, 2002, under IC 31-34-17, IC 31-37-16, or IC 34-26-2, all as repealed by this act, remains in effect for the period indicated in the court order granting the protective order.

(c) A protective order issued before July 1, 2002, under IC 31-14-16 or IC 31-15-5, as amended by this act, remains in effect for the period indicated in the court order granting the protective order.

(d) After June 30, 2002, a protected person must use the forms developed by the division of state court administration under IC 34-26-5-3, as added by this act, if the person is seeking an extension or a modification of an order issued under subsection (b) or (c).

2002-134-5

SECTION 5. (a) The definitions in IC 12-10-17 apply to this SECTION.

(b) Notwithstanding IC 12-10-17-15, an individual in need of self-directed in-home care who has hired a personal services attendant who has been approved by the division of disability, aging, and rehabilitative services shall hire a fiscal agent to provide payroll and bookkeeping services, including the following:

(1) Assisting the individual in completing and submitting applications for state and federal employment tax identification numbers, unemployment insurance, and worker's compensation insurance.

(2) Processing payroll, including income tax withholdings, Social Security deductions under the Federal Insurance Contributions Act (FICA), worker's compensation, and wages.

(3) Disbursing checks to the personal services attendant and proper governmental agencies. The fiscal agent shall prepare a check for the fiscal agent's services that must be signed by the individual in need of self-directed in-home care.

(4) Preparing employer tax forms, including W-4 forms.

(5) Supplying weekly time slips to be used by the individual in need of self-directed in-home care.

(c) The fiscal agent must be a private accounting firm or a nonprofit corporation, association, or organization located in Indiana.

(d) The fiscal agent that is selected by the individual in need of self-directed in-home care shall register with the division of disability, aging, and rehabilitative services before providing bookkeeping services.

(e) Subject to IC 12-10-17-14(b), the individual in need of self-directed in-home care shall deliver the personal services attendant's time sheet to the fiscal agent.

(f) Subject to IC 12-10-17-14(b), the time sheet must be certified:

(1) by the personal services attendant that the hours were worked as recorded; and

(2) by the individual in need of self-directed in-home care that the services were rendered as recorded and that the services were

within the limits of the authorized care plan.

(g) Before July 1, 2003, the division shall adopt rules under IC 4-22-2 concerning:

- (1) the method of payment to a personal services attendant who provides authorized services under IC 12-10-17;
- (2) the method of payment for the fiscal agent who provides authorized services under IC 12-10-17; and
- (3) record keeping requirements for personal attendant services.

(h) This SECTION expires July 1, 2003.

2002-137-5

SECTION 5. (a) As used in this SECTION, "commission" refers to the Indiana commission on excellence in health care established by subsection (d).

(b) As used in this SECTION, "health care professional" has the meaning set forth in IC 16-27-1-1.

(c) As used in this SECTION, "health care provider" includes the following:

- (1) A hospital or an ambulatory outpatient surgical center licensed under IC 16-21.
- (2) A hospice program (as defined in IC 16-25-1.1-4).
- (3) A home health agency licensed under IC 16-27-1.
- (4) A health facility licensed under IC 16-28.

(d) There is established the Indiana commission on excellence in health care.

(e) The commission consists of the following members:

- (1) Four (4) members appointed from the house of representatives by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.
- (2) Four (4) members appointed from the senate by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.
- (3) The governor or the governor's designee.
- (4) The state health commissioner appointed under IC 16-19-4-2 or the commissioner's designee.
- (5) One (1) member appointed by the governor who is a former dean or former faculty member of the Indiana University School of Medicine.
- (6) One (1) member appointed by the governor who is a former dean or former faculty member of an Indiana school of nursing.
- (7) One (1) member appointed by the governor who is a health care provider or a representative for individuals who have both a mental illness and a developmental disability.

(f) The commission shall operate under the rules of the legislative council. The commission shall meet upon the call of the chairperson.

(g) The affirmative votes of at least seven (7) voting members of the commission are required for the commission to take any action, including the approval of a final report.

(h) The speaker of the house of representatives shall appoint the

chairperson of the commission during odd-numbered years beginning January 1. The president pro tempore of the senate shall appoint the chairperson of the commission during even-numbered years beginning January 1.

(i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(l) The legislative services agency shall provide staff to support the commission. The legislative services agency is not required to provide staff assistance to the subcommittees of the commission except to the extent the subcommittees require copying services.

(m) The expenses of the commission shall be paid from funds appropriated to the legislative services agency.

(n) The commission shall study the quality of health care, including mental health, and develop a comprehensive statewide strategy for improving the health care delivery system. The commission shall do the following:

- (1) Identify existing data sources that evaluate quality of health care in Indiana and collect, analyze, and evaluate this data.
- (2) Establish guidelines for data sharing and coordination.
- (3) Identify core sets of quality measures for standardized reporting by appropriate components of the health care continuum.
- (4) Recommend a framework for quality measurement and outcome reporting.
- (5) Develop quality measures that enhance and improve the ability to evaluate and improve care.
- (6) Make recommendations regarding research and development needed to advance quality measurement and reporting.
- (7) Evaluate regulatory issues relating to the pharmacy profession and recommend changes necessary to optimize patient safety.
- (8) Facilitate open discussion of a process to ensure that comparative information on health care quality is valid, reliable, comprehensive, understandable, and widely available in the public domain.
- (9) Sponsor public hearings to share information and expertise,

identify best practices, and recommend methods to promote their acceptance.

(10) Evaluate current regulatory programs to determine what changes, if any, need to be made to facilitate patient safety.

(11) Review public and private health care purchasing systems to determine if there are sufficient mandates and incentives to facilitate continuous improvement in patient safety.

(12) Analyze how effective existing regulatory systems are in ensuring continuous competence and knowledge of effective safety practices.

(13) Develop a framework for organizations that license, accredit, or credential health care professionals and health care providers to more quickly and effectively identify unsafe providers and professionals and to take action necessary to remove an unsafe provider or professional from practice or operation until the professional or provider has proven safe to practice or operate.

(14) Recommend procedures for development of a curriculum on patient safety and methods of incorporating the curriculum into training, licensure, and certification requirements.

(15) Develop a framework for regulatory bodies to disseminate information on patient safety to health care professionals, health care providers, and consumers through conferences, journal articles and editorials, newsletters, publications, and Internet websites.

(16) Recommend procedures to incorporate recognized patient safety considerations into practice guidelines and into standards related to the introduction and diffusion of new technologies, therapies, and drugs.

(17) Recommend a framework for development of community based collaborative initiatives for error reporting and analysis and implementation of patient safety improvements.

(18) Evaluate the role of advertising in promoting or adversely affecting patient safety.

(19) Evaluate and make recommendations regarding the need for licensure of additional persons who participate in the delivery of health care to Indiana residents.

(20) Evaluate the benefits and problems of the current disciplinary systems and make recommendations regarding alternatives and improvements.

(21) Study and make recommendations concerning the long term care system, including self-directed care plans and the regulation and reimbursement of public and private facilities that provide long term care.

(22) Study and make recommendations concerning increasing the number of:

- (1) nurses;
- (2) respiratory care practitioners;
- (3) speech pathologists; and
- (4) dental hygienists.

(23) Study any other topic required by the chairperson.

(o) The commission may create subcommittees to study topics,

receive testimony, and prepare reports on topics assigned by the commission. The chairperson shall select from the topics listed under subsection (n) the topics to be studied by the commission and subcommittees each year. The chairperson shall appoint persons to act as chairperson and secretary of each subcommittee. The commission shall by majority vote appoint initial members to each subcommittee. Each subcommittee may by a majority vote of the members appointed to the subcommittee make a recommendation to the commission to appoint additional members to the subcommittee. The commission may by a majority vote of the members appointed to the commission appoint or remove members of a subcommittee. A member of a subcommittee, including a commission member while serving on a subcommittee, is not entitled to per diem, mileage, or travel allowances.

(p) The commission shall submit:

(1) interim reports not later than October 1, 2001, and October 1, 2002; and

(2) a final report not later than October 1, 2003;

to the governor, members of the health finance commission, and the legislative council. With the consent of the chairperson of the commission and the chairperson of the health finance commission, the commission and the health finance commission may conduct joint meetings.

(q) This SECTION expires July 1, 2004.

2002-138-1

SECTION 1. (a) Subject to subsection (b), the board of trustees of Purdue University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5, for the following project as long as the sum of principal costs of any bonds issued does not exceed the total authority listed below. The principal costs of the bonds include all acquisition, installation, planning, and other related costs. Interest and financing charges, costs, and expenses may also be financed as part of the bond issue in amounts that may be in addition to the total authority listed below. The trustees are further authorized to pledge any available funds not otherwise encumbered as may be required to secure repayment of the bonds, together with interest and financing charges, costs, and expenses.

PURDUE UNIVERSITY

West Lafayette Campus

for Nanotechnologies/Life Sciences

Research Facility

\$24,000,000

The above project must be repaid from operating funds and is not eligible for fee replacement appropriations.

(b) The issuance of bonds under this SECTION is subject to the approval of the budget agency after review by the budget committee. The budget agency may not approve a bond issue under this SECTION unless the board of trustees of Purdue University provides evidence of a commitment by the federal government to make federal funds available for the project.

2002-141-5

SECTION 5. IC 33-11.6-4-15, as amended by this act, applies only to small claims actions initiated after June 30, 2002.

2002-143-10

SECTION 10. (a) As used in this SECTION, "electric personal assistive mobility device" means a self-balancing, two nontandem wheeled device that is designed to transport only one (1) person and that has the following:

(1) An electric propulsion system with average power of seven hundred fifty (750) watts or one (1) horsepower.

(2) A maximum speed of less than twenty (20) miles per hour when operated on a paved level surface, when powered solely by the propulsion system referred to in subdivision (1), and when operated by an operator weighing one hundred seventy (170) pounds.

(b) As used in this SECTION, "commission" refers to the state fair commission established by IC 15-1.5-2-1.

(c) As used in this SECTION, "executive director" refers to the executive director of the commission employed under IC 15-1.5-2-9.

(d) As used in this SECTION, "fairgrounds" has the meaning set forth in IC 15-1.5-1-7.

(e) As used in this SECTION, "motorized cart" means any conveyance that is motor driven, either by gas or electricity, that is used to carry passengers or equipment, and that is smaller than normal road type vehicles such as cars, recreational vehicles, and trucks.

(f) Notwithstanding IC 9-13-2-109, as amended by this act, and notwithstanding 80 IAC 4-3-3(a), an electric personal assistive mobility device is considered to be a motorized cart and may be used upon the fairgrounds.

(g) Before January 1, 2003, the commission shall amend 80 IAC 4-3-3 to permit the use of an electric personal assistive mobility device upon the fairgrounds as a motorized cart.

(h) Before January 1, 2003, the commission shall amend 80 IAC 4-3-5(d) and (e) to exclude a person who uses an electric personal assistive mobility device upon the fairgrounds from the insurance requirements of those subsections.

(i) The commission shall carry out the duties imposed upon it under this SECTION under interim guidelines that are approved by the executive director and authorized by the adoption of a resolution by the commission under IC 15-1.5-2-9(c)(1).

(j) This SECTION expires on the earlier of the following:

(1) The dates rules are adopted under subsections (f), (g), and (h) of this SECTION.

(2) December 31, 2003.

2002-146-2

SECTION 2. IC 6-1.1-10.1-10, as added by this act, applies to property taxes first due and payable after December 31, 2003.

2002-148-16

SECTION 16. (a) As used in this SECTION, "department" refers to

the department of natural resources.

(b) Notwithstanding IC 14-27-7.5-8, as added by this act, and IC 14-27-7, as amended by this act, the department may continue to issue permits for dams under IC 14-27-7 until the rules concerning permitting under IC 14-27-7.5 become effective.

(c) Notwithstanding IC 14-27-7.5, as added by this act, a permit for a dam issued under IC 14-27-7 remains valid until the expiration of the permit.

(d) This SECTION expires June 30, 2007.

2002-153-3

SECTION 3. (a) Notwithstanding IC 34-6-2-103, the term "person" for purposes of IC 34-30-10.5, means the following:

- (1) A political subdivision (as defined in IC 36-1-2-13).
- (2) A volunteer fire department (as defined in IC 36-8-12-2).
- (3) An employee of an entity described in subdivision (1) or (2) who acts within the scope of the employee's responsibilities.
- (4) A volunteer firefighter (as defined in IC 36-8-12-2) who is acting for a volunteer fire department.
- (5) After March 31, 2002, a corporation, a limited liability company, a partnership, an unincorporated association, or any other entity recognized by law.

(b) This SECTION expires July 1, 2002.

2002-155-12

SECTION 12. (a) There is appropriated to the natural resources reclamation division fund established by IC 14-34-14-2 two hundred fifty thousand dollars (\$250,000) from the post-1977 abandoned mine reclamation fund established by IC 14-34-6-15 for its use beginning July 1, 2002, and ending June 30, 2003.

(b) This SECTION expires January 1, 2004.

2002-155-13

SECTION 13. (a) Notwithstanding IC 14-34-13-1 and IC 14-34-13-2, the following reclamation fee schedule applies with respect to coal mining operations for the period beginning April 1, 2002, and ending June 30, 2003:

- (1) All operators of surface coal mining operations subject to IC 14-34 shall pay to the department of natural resources for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of five and five-tenths cents (\$0.055) per ton of coal produced.
- (2) All operators of underground coal mining operations subject to IC 14-34 shall pay to the department of natural resources for deposit in the natural resources reclamation division fund established by IC 14-34-14-2 a reclamation fee of three cents (\$0.03) per ton of coal produced.

(b) After June 30, 2003, the reclamation fees paid by coal mining operators are the amounts per ton specified in IC 14-34-13-1 and IC 14-34-13-2, as amended by this act.

(c) This SECTION expires January 1, 2004.

2002-156-3

SECTION 3. (a) As used in this SECTION, "department" refers to the Indiana department of transportation.

(b) Not later than July 1, 2002, the department shall form a task force to identify barriers to enabling interested parties to develop a multitenant conduit system for fiber optic communications to be located in the highway rights-of-way maintained and owned by the department. The goal of the task force formed under this subsection shall be to identify barriers that inhibit private industry from funding and developing a multitenant conduit system.

(c) The task force formed under subsection (b) shall submit its findings to the executive director of the legislative services agency not later than November 1, 2002.

(d) This SECTION expires December 31, 2003.

2002-157-4

SECTION 4. (a) This SECTION applies to a county having a population of more than one hundred forty-five thousand (145,000) but less than one hundred forty-eight thousand (148,000).

(b) Notwithstanding IC 6-3.5-1.1-2, IC 6-3.5-6-8, and IC 6-3.5-7-5, an ordinance to impose the county adjusted gross income tax, the county option income tax, or the county economic development income tax in the county may be adopted before May 16, 2002.

(c) This SECTION expires December 31, 2002.

2002-162-8

SECTION 8. (a) An individual who installs manufactured homes does not violate IC 25-23.7-5-1 or IC 25-23.7-7-5(1), both as added by this act, and may not be disciplined or sanctioned for failure to have an installer's license, if the person obtains a license before July 1, 2004.

(b) This SECTION expires January 1, 2005.

2002-162-9

SECTION 9. (a) As used in this SECTION, "board" refers to the manufactured home installers licensing board established by IC 25-23.7-3-1, as added by this act.

(b) The governor shall make the initial appointments to the board not later than July 1, 2003. In making an initial appointment, the governor shall indicate the length of the term for which the individual is appointed.

(c) The initial terms of office for the nine (9) individuals appointed to the board by the governor are as follows:

- (1) Two (2) members for a term of one (1) year.
- (2) Two (2) members for a term of two (2) years.
- (3) Two (2) members for a term of three (3) years.
- (4) Three (3) members for a term of four (4) years.

(d) The initial terms begin July 1, 2003.

(e) An individual who does not meet the requirements of IC 25-23.7-3-2(a)(1)(A), as added by this act, may be appointed to the board under IC 25-23.7-3-2(a)(1), as added by this act, if the individual:

- (1) meets the requirements of IC 25-23.7-5-2, as added by this act, except for IC 25-23.7-5-2(1)(C), as added by this act;
- (2) has been actively engaged in the installation of manufactured homes for at least five (5) years immediately before the person's appointment; and
- (3) obtains a license under IC 25-23.7-5, as added by this act, not later than July 1, 2004.

(f) A board member appointed under subsection (e) who does not obtain the requisite license under IC 25-23.7-5, as added by this act, on or before July 1, 2004, shall be considered to have resigned from the board on that date, and the governor shall fill the vacancy under IC 25-23.7-3-4(b), as added by this act.

(g) Not later than January 1, 2004, the board shall adopt rules under IC 4-22-2 to carry out this act.

(h) This SECTION expires July 1, 2007.

2002-162-10

SECTION 10. (a) The definitions in IC 25-23.7-2, as added by this act, apply throughout this SECTION.

(b) An individual who applies for a license as an installer of a manufactured home under IC 25-23.7-2, as added by this act, is not required to comply with IC 25-23.7-5-2(1)(D), as added by this act. Such an individual is required to do the following:

- (1) Show to the satisfaction of the board that the individual is an experienced installer.
- (2) Comply with the other requirements of IC 25-23.7-5-2, as added by this act.

(c) This SECTION expires July 1, 2006.

2002-163-1

SECTION 1. (a) As used in this SECTION, "commission" refers to the health finance commission established by IC 2-5-23-3.

(b) The commission shall develop a plan to reorganize the office of the secretary of family and social services established by IC 12-8-1-1. Before November 1, 2002, the commission shall issue a final report. The final report must:

- (1) describe the reorganization plan required by this subsection; and
- (2) contain recommendations for legislation.

The commission shall submit a copy of the final report to the executive director of the legislative services agency.

(c) This SECTION expires December 31, 2002.

2002-166-3

SECTION 3. (a) The environmental quality service council shall do the following:

- (1) Develop and propose a plan for the creation and funding of an effective hazardous air pollutant monitoring program to help assess potential health risks from hazardous air pollutants posed by urban air and significant sources.
- (2) Consider methods for the department of environmental

management and state department of health to:

- (A) request and receive hazardous air pollution release information in a timely and effective manner; and
 - (B) communicate to the public and the reporting sources (as defined in IC 13-11-2-213) the responses received as a result of the requests.
- (3) Provide to the executive director of the legislative services agency at the time the environmental quality service council submits its final report in 2002 as directed by the legislative council:
- (A) a report of its activities under subdivisions (1) and (2); and
 - (B) an outline of the hazardous air pollutant program plan developed and proposed under subdivision (1).
- (b) This SECTION expires January 1, 2003.

2002-166-4

SECTION 4. (a) The department of environmental management and the state department of health shall do the following:

- (1) Jointly develop a five (5) year hazardous air pollutant strategy that includes at least the following:
- (A) An inventory of known hazardous air pollutant emissions in Indiana, including quantities and types of sources.
 - (B) An assessment of the quality and usefulness of existing data on hazardous air pollutant:
 - (i) emissions;
 - (ii) air quality monitoring; and
 - (iii) human health impacts.
 - (C) A description of the gaps in the existing data, alternatives to fill those gaps, and the departments' preferred approach among those alternatives.
 - (D) Based on available information, the departments' top ten (10) priorities to address significant risks posed by hazardous air pollutant releases and the basis for each priority.
 - (E) Based on available information, an inventory of commercial and industrial air pollutant sources, air pollutant source categories, and hazardous air pollutants that require additional study to determine potential human health impacts.
 - (F) A plan that identifies additional hazardous air pollutant data needs, including the:
 - (i) intended uses of;
 - (ii) processes to be used to collect; and
 - (iii) resources necessary to collect and assess;the additional data.
- (2) Provide the strategy developed under subdivision (1) in writing to the environmental quality service council before November 1, 2002.
- (b) This SECTION expires January 1, 2003.

2002-167-2

SECTION 2. (a) As used in this SECTION, "association" has the meaning set forth in IC 27-8-10-1.

(b) As used in this SECTION, "association policy" has the meaning set forth in IC 27-8-10-1.

(c) As used in this SECTION, "insured" has the meaning set forth in IC 27-8-10-1.

(d) Beginning December 1, 2002, not later than December 31 of each calendar year, the association shall report the following information for the immediately preceding calendar year to the legislative council and the department of insurance:

(1) The rate of turnover of insureds.

(2) The percentage of premiums for association policies that are paid by the following:

(A) An insured.

(B) A third party.

(3) The amount that each individual association member is:

(A) assessed under IC 27-8-10-2.1(g); and

(B) able to take in tax credits under IC 27-8-10-2.1(n).

(4) The impact of insuring federally eligible individuals under association policies.

(e) This SECTION expires June 30, 2005.

2002-168-16

SECTION 16. Notwithstanding IC 12-7-2-12, as amended by this act, a person participating in an alcohol and drug services program before July 1, 2002, solely as a result of committing an infraction may continue in the program until the person successfully completes the program or is removed for a violation or noncompliance, whichever occurs first.

2002-170-179

SECTION 179. (a) The initial school year budget that is:

(1) adopted by a school corporation to which IC 6-1.1-17-5.6, as added by this act, applies; and

(2) fixed by the state board of tax commissioners under this act; is for the period beginning July 1, 2002, through June 30, 2003. The first six (6) months of the initial budget for the school corporation must be consistent with the last six (6) months of the budget fixed by the state board of tax commissioners for calendar year 2002 under the procedures effective in 2001.

(b) This SECTION expires July 1, 2003.

2002-170-180

SECTION 180. (a) Notwithstanding IC 12-28-5-12(b), a supervised group living facility described in IC 12-28-5-12(c) may locate in only one (1) of the following counties:

(1) A county having a population of more than twenty-seven thousand (27,000) but less than twenty-seven thousand two hundred (27,200).

(2) A county having a population of more than one hundred seventy thousand (170,000) but less than one hundred eighty thousand (180,000).

(3) A county having a population of more than fifty thousand

(50,000) but less than fifty-five thousand (55,000).
(b) This SECTION expires July 1, 2002.

2002-170-181

SECTION 181. (a) As used in this SECTION, "board" refers to a board, a commission, a committee, a council, or another body established by a statute that requires the membership to be appointed so that at least one (1) member represents each congressional district in Indiana.

(b) Notwithstanding any other law, if the membership of a board is such that at least one (1) board member represents each congressional district of Indiana in effect before the 2002 congressional elections, then both of the following apply:

(1) After December 31, 2001, the membership of the board is considered to comply with the requirement that each congressional district of Indiana is represented by at least one (1) board member.

(2) Each board member may serve on the board until the member's term of office otherwise would have expired.

(c) The appointing authority of a board's members shall fill vacancies in the board's membership that occur after June 30, 2002, so that the board's membership reflects, to the extent possible, the congressional districts in effect beginning with the 2002 congressional elections.

(d) This SECTION expires July 1, 2006.

2002-170-182

SECTION 182. (a) As used in this SECTION, "noncode statute" has the meaning set forth in IC 1-1-4-5, as amended by this act.

(b) Notwithstanding any other bill enacted during the 2002 regular session of the Indiana general assembly, this SECTION applies to each SECTION of each bill enacted during the 2002 regular session of the Indiana general assembly that satisfies all the following:

(1) The SECTION amends a noncode statute or a provision of the Indiana Code.

(2) The SECTION takes effect before April 1, 2002.

(3) The SECTION contains an amendment to a population parameter.

(c) The amendment to a population parameter in a SECTION described in subsection (b) takes effect April 1, 2002, and the amendment to other provisions in a SECTION described in subsection (b) take effect as otherwise provided in the bill described in subsection (b).

2002-170-183

SECTION 183. (a) As used in this SECTION, "noncode statute" has the meaning set forth in IC 1-1-4-5, as amended by this act.

(b) Notwithstanding any other bill enacted during the 2002 regular session of the Indiana general assembly, this SECTION applies to each SECTION of each bill enacted during the 2002 regular session of the Indiana general assembly that satisfies all the following:

(1) The SECTION enacts a noncode statute or a new provision of the Indiana Code.

(2) The SECTION takes effect before April 1, 2002.

(3) The SECTION contains a population parameter.

(c) Notwithstanding IC 1-1-3.5-3, as amended by this act, a population parameter in a SECTION described in subsection (b) refers to the population of the described political subdivisions as tabulated following the 2000 Decennial Census and delivered to the state by the United States Secretary of Commerce under 13 U.S.C. 141 and received by the governor during 2001.

2002-172-8

SECTION 8. (a) For purposes of this SECTION:

(1) "onsite residential sewage discharging disposal system" has the meaning set forth in IC 13-11-2-144.7, as added by this act; and

(2) "waters" has the meaning set forth in IC 13-11-2-265.

(b) The department of environmental management:

(1) shall take all actions necessary to apply for and obtain from the United States Environmental Protection Agency a general permit under 40 CFR 122.28 for a county having a population of more than three hundred thousand (300,000) but less than four hundred thousand (400,000) to cover the point source discharge to waters of treated sewage from an onsite residential sewage discharging disposal system installed to repair a sewage disposal system that fails to meet public health and environmental standards;

(2) is authorized to take all actions referred to in subdivision (1);

(3) shall take the actions referred to in subdivision (1) in an expeditious manner calculated to obtain the general permit as soon as possible; and

(4) shall report to the environmental quality service council before:

(A) August 1, 2002; and

(B) October 1, 2002;

the progress in obtaining the general permit.

(c) The state department of health and the executive board of the state department of health shall:

(1) take the actions referred to in IC 16-19-3-27, as added by this act, in an expeditious manner calculated to result in the development of plans and specifications and the adoption of rules as soon as possible; and

(2) report to the environmental quality service council before:

(A) August 1, 2002; and

(B) October 1, 2002;

the progress in developing plans and specifications and adopting rules.

2002-173-3

SECTION 3. (a) As used in this SECTION, "Columbus Learning Center" refers to a multipurpose educational facility to be located in

Columbus, Indiana, and leased by the board of aviation commissioners of the city of Columbus, Indiana, to Columbus Learning Center Management Corporation.

(b) As used in this SECTION, "sublease" refers to an agreement between the budget agency and Columbus Learning Center Management Corporation to lease space in the Columbus Learning Center for use by the participating entities.

(c) As used in this SECTION, "lease rental revenue bonds" refers to any lease rental revenue bonds issued by the city of Columbus, Indiana, under IC 8-22-2 or another law for acquisition, construction, initial installation, and initial equipping of the Columbus Learning Center.

(d) As used in this SECTION, "participating entities" means the following:

- (1) Indiana University.
- (2) Purdue University.
- (3) Ivy Tech State College.

The term does not include a school corporation.

(e) Subject to subsection (f), the budget agency may enter into a sublease with the Columbus Learning Center Management Corporation, its authorized successor, or its authorized assigns for the use and occupancy of part or all of the Columbus Learning Center. The budget agency may enter into the sublease after review by the budget committee and approval by the commissioner of the Indiana department of administration.

(f) The budget agency may not enter into a sublease under subsection (e) unless the following conditions are met:

- (1) The total:
 - (A) acquisition;
 - (B) construction;
 - (C) initial installation; and
 - (D) initial equipping;

costs for the Columbus Learning Center that are to be financed through lease rental revenue bonds is twenty-five million dollars (\$25,000,000) or less, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of bonds.

- (2) The director of the budget agency has certified in writing to the legislative council that there is an unmet higher education need that the Columbus Learning Center will correct.

(g) The general assembly determines that a long term sublease is in the best interests of the state. Subject to subsection (f), the budget agency may enter into a sublease for one (1) or more terms that, in the aggregate, do not exceed the initial term provided for the repayment of the lease rental revenue bonds.

(h) The sublease rental payments under the sublease may include amounts payable for:

- (1) the operation and management of the Columbus Learning Center;
- (2) maintenance, repair, or replacement reserves necessary or appropriate to keep the Columbus Learning Center in good operating order; and

(3) repayment of the principal of and interest on the lease rental revenue bonds, subject to the limitations set forth in subsection (f).

2002-173-4

SECTION 4. The board of trustees of Vincennes University may issue and sell bonds under IC 20-12-6, subject to the approvals required by IC 20-12-5.5 and IC 23-13-18, for a Technology Building, a Performing Arts Center, and a Recreation Building, so long as the sum of principal costs of any bonds authorized by this act for those projects, excluding amounts necessary to provide money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds, does not exceed twenty-five million dollars (\$25,000,000). The projects are eligible for fee replacement.

2002-173-5

SECTION 5. (a) The provisions of this SECTION apply notwithstanding P.L.291-2001.

(b) The trustees of Vincennes University and Ivy Tech State College, and their respective institutions, are no longer subject to the requirement that they not increase the total Indiana resident student tuition fees and academic facilities fees in exchange for certain appropriations under P.L.291-2001, SECTION 5. The requirement to freeze tuition and fees as a condition of receiving their respective total operating expense appropriation for the state fiscal year beginning July 1, 2002, is void.

(c) This SECTION expires July 1, 2003.

2002-173-6

SECTION 6. (a) As used in this SECTION, "commissioner" refers to the commissioner of the Indiana department of administration.

(b) As used in this SECTION, "department" refers to the Indiana department of administration created by IC 4-13-1-2.

(c) As used in this SECTION, "grantee" refers to Ivy Tech State College.

(d) As used in this SECTION, "parcel 1" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 875.00 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 81.20 feet to an east right-of-way line of St. Joe Road; thence North 65 degrees, 31 minutes, 43 seconds East, a distance of 12.80 feet along the right-of-way line to an east right-of-way line of St. Joe Road; thence North 00 degrees, 30 minutes, 32 seconds West, a distance of 54.84 feet along the right-of-way line to a 5/8

inch steel rebar set at the POINT OF BEGINNING of this description; thence continuing North 00 degrees, 30 minutes, 32 seconds West, a distance of 2.16 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 66 degrees, 32 minutes, 47 seconds West, a distance of 49.24 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 00 degrees, 30 minutes, 32 seconds West, a distance of 25.65 feet along the right-of-way line to a tangent curve, concave to the East, having a radius of 3774.72 feet; thence northerly along the curve and the right-of-way line a distance of 245.63 feet, having a central angle of 03 degrees, 43 minutes, 42 seconds, and a chord of 245.58 feet bearing North 01 degrees, 21 minutes, 19 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 03 degrees, 13 minutes, 10 seconds East, a distance of 39.33 feet along the right-of-way line to a 5/8 inch steel rebar set on a tangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 66.73 feet, having a central angle of 00 degrees, 59 minutes, 21 seconds, and a chord of 66.72 feet bearing North 02 degrees, 43 minutes, 29 seconds East to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 95.95 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 00 seconds West, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 93.72 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, also being a nontangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 160.56 feet, having a central angle of 02 degrees, 22 minutes, 50 seconds, and a chord of 160.56 feet bearing North 00 degrees, 17 minutes, 53 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 00 degrees, 53 minutes, 32 seconds West, a distance of 476.10 feet along the east right-of-way line to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 343.35 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 07 minutes, 22 seconds East, a distance of 223.92 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 52 minutes, 38 seconds West, a distance of 46.59 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 44.11 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 360.32 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 65.00 feet; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 60.00 feet; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 264.24 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 41.74 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 02 minutes, 54 seconds East, a distance

of 38.87 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 41.66 feet; thence North 01 degrees, 02 minutes, 54 seconds West, a distance of 25.48 feet to a 5/8 inch steel rebar set; thence North 88 degrees, 57 minutes, 06 seconds East, a distance of 657.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 06 minutes, 51 seconds East, a distance of 250.49 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 58 minutes, 30 seconds West, a distance of 656.47 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 860.00 feet, thence westerly along the curve, a distance of 211.44 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 210.90 feet bearing South 81 degrees, 55 minutes, 54 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 74 degrees, 53 minutes, 19 seconds West, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 640.00 feet, thence westerly along the curve, a distance of 160.98 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 160.56 feet bearing South 82 degrees, 05 minutes, 39 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 163.18 feet to the POINT OF BEGINNING. Containing 18.224 acres, more or less.

(e) As used in this SECTION, "parcel 2" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 875.00 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 81.20 feet to a east right-of-way line of St. Joe Road, also being the POINT OF BEGINNING of this description; thence North 65 degrees, 31 minutes, 43 seconds East, a distance of 12.80 feet along the right-of-way line to a east right-of-way line of St. Joe Road to a 5/8 inch steel rebar set; thence North 00 degrees, 30 minutes, 32 seconds West, a distance of 54.84 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 163.18 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 640.00 feet, thence easterly along the curve a distance of 160.98 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 160.56 feet bearing North 82 degrees, 05 minutes, 39 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 74 degrees, 53 minutes, 19 seconds East, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of

860.00 feet; thence easterly along the curve a distance of 211.44 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 210.90 feet bearing North 81 degrees, 55 minutes, 54 seconds East to a 5/8 inch steel rebar set at the point of tangency; thence North 88 degrees, 58 minutes, 30 seconds East, a distance of 656.47 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 06 minutes, 51 seconds West, a distance of 250.49 feet to a 5/8 inch steel rebar set; thence North 88 degrees, 57 minutes, 06 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 06 minutes, 51 seconds East, a distance of 310.56 feet to a 5/8 inch steel rebar set; thence South 88 degrees, 58 minutes, 30 seconds West, a distance of 706.56 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the South, having a radius of 800.00 feet, thence westerly along the curve, a distance of 196.68 feet, having a central angle of 14 degrees, 05 minutes, 11 seconds, and a chord of 196.19 feet bearing South 81 degrees, 55 minutes, 54 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 74 degrees, 53 minutes, 19 seconds West, a distance of 55.77 feet to a 5/8 inch steel rebar set at a tangent curve, concave to the North, having a radius of 700.00 feet, thence westerly along the curve, a distance of 176.07 feet, having a central angle of 14 degrees, 24 minutes, 42 seconds, and a chord of 175.61 feet bearing South 82 degrees, 05 minutes, 39 seconds West to a 5/8 inch steel rebar set at the point of tangency; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 175.07 feet to the POINT OF BEGINNING. Containing 2.076 acres, more or less.

(f) As used in this SECTION, "parcel 3" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 2303.57 feet along the West line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 06 minutes, 28 seconds East, a distance of 66.22 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, also being the POINT OF BEGINNING of this description; thence North 00 degrees, 53 minutes, 32 seconds West, a distance of 50.00 feet along the right-of-way line to a 5/8 inch steel rebar set; thence North 89 degrees, 06 minutes, 28 seconds East, a distance of 198.29 feet; thence South 01 degrees, 15 minutes, 11 seconds East, a distance of 297.44 feet to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 145.25 feet to a PK Nail set; thence South 89 degrees, 07 minutes, 22 seconds East, a distance of 314.36 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 09 seconds East, a distance of 791.69 feet to a 5/8

inch steel rebar set; thence South 88 degrees, 57 minutes, 06 seconds West, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 01 degrees, 02 minutes, 54 seconds East, a distance of 25.48 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 41.66 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 02 minutes, 54 seconds West, a distance of 38.87 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 41.74 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 264.24 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 60.00 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 17 minutes, 51 seconds East, a distance of 65.00 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 42 minutes, 09 seconds West, a distance of 743.35 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 17 minutes, 51 seconds West, a distance of 44.11 feet to a 5/8 inch steel rebar set; thence North 00 degrees, 52 minutes, 38 seconds East, a distance of 46.59 feet to a 5/8 inch steel rebar set; thence North 89 degrees, 07 minutes, 22 seconds West, a distance of 223.93 feet to a PK Nail set; thence North 86 degrees, 42 minutes, 36 seconds West, a distance of 303.54 feet to a 5/8 inch steel rebar set; thence North 03 degrees, 17 minutes, 24 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 86 degrees, 42 minutes, 36 seconds East, a distance of 107.08 feet to a 5/8 inch steel rebar set; thence North 01 degrees, 15 minutes, 11 seconds West, a distance of 243.78 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 06 minutes, 28 seconds West, a distance of 148.61 feet to the POINT OF BEGINNING. Containing 2.245 acres, more or less.

(g) As used in this SECTION, "parcel 4" refers to the following described real estate:

Part of the Southwest Quarter of Section 20, Township 31 North, Range 13 East of the Second Principal Meridian in Allen County, Indiana, more particularly described as follows:

Commencing at a 1 inch brass pin found at the Southwest corner of the Southwest Quarter; thence North 00 degrees, 42 minutes, 00 seconds West, (assumed bearing and basis of bearings to follow), a distance of 1334.23 feet along the west line of the Southwest Quarter and the centerline of St. Joe Road; thence North 89 degrees, 18 minutes, 00 seconds East, a distance of 63.73 feet to a 5/8 inch steel rebar set on the east right-of-way line of St. Joe Road, this point also being the POINT OF BEGINNING of this description, also being on a non-tangent curve, concave to the West, having a radius of 3864.72 feet; thence northerly along the curve and the right-of-way line a distance of 50.05 feet, having a central angle of 00 degrees, 44 minutes, 31 seconds, and a chord of 50.05 feet bearing North 01 degrees, 51 minutes, 33 seconds East to a 5/8 inch steel rebar set; thence North 89

degrees, 18 minutes, 00 seconds East, a distance of 93.72 feet to a 5/8 inch steel rebar set; thence South 00 degrees, 42 minutes, 00 seconds East, a distance of 50.00 feet to a 5/8 inch steel rebar set; thence South 89 degrees, 18 minutes, 00 seconds West, a distance of 95.95 feet to the POINT OF BEGINNING. Containing 0.109 acres, more or less.

(h) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to convey parcel 1 to the grantee. The conveyance of parcel 1 shall be made without consideration.

(i) Conveyance of parcel 1 is subject to the following:

(1) Highways, easements, and restrictions of record.

(2) Use of parcel 1 by the grantee for the future growth and development of Ivy Tech State College in Fort Wayne, Indiana.

(j) If parcel 1 is used for any purpose other than for the future growth and development of Ivy Tech State College in Fort Wayne, Indiana, title to parcel 1 reverts to the state of Indiana, subject to subsection (k).

(k) The reversionary interest of the state described in subsection (j) is subject to any recorded liens and encumbrances on parcel 1 that result from an unsatisfied indebtedness incurred by the grantee to improve parcel 1 to carry out the purposes stated in subsection (i)(2).

(l) The conveyance under this SECTION must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with the intent of this SECTION, which is to provide for the transfer of parcel 1 to the grantee. The department shall have a quitclaim deed prepared to convey parcel 1 to the grantee. The deed must state the restrictions and conditions contained in subsections (i), (j), and (k). The commissioner and the governor shall sign the deed, and the seal of the state shall be affixed to the deed.

(m) The department shall deliver the completed deed to the grantee. The grantee shall have the deed recorded in Allen County, Indiana.

(n) The governor and the commissioner are authorized and directed on behalf of and in the name of the state of Indiana to grant easements to the grantee in parcel 2, parcel 3, and parcel 4 for the grantee and its invitees to have ingress to and egress from parcel 1 and to have access to utilities. The grant shall be made without consideration. The easements are subject to highways, other easements, and restrictions of record.

(o) The grantee shall have the easements recorded in Allen County, Indiana.

(p) The easements granted under subsection (n) must comply with IC 4-20.5-7 to the extent that IC 4-20.5-7 does not conflict with the intent of this SECTION for the grantee and its invitees to have adequate ingress to and egress from parcel 1 and to have access to utilities.

(r) This SECTION expires July 1, 2007.

2002-177-17

SECTION 17. (a) IC 6-1.1-12-2, IC 6-1.1-12-12, IC 6-1.1-12-15, IC 6-1.1-12-17, IC 6-1.1-12-17.5, and IC 6-1.1-20.9-3, all as amended

by this act, apply only to property taxes first due and payable after December 31, 2002.

(b) This SECTION expires January 1, 2004.

2002-178-143

SECTION 143. (a) IC 6-1.1-15-3 and IC 6-1.1-15-4, both as amended by P.L.198-2001, apply to petitions for review filed under IC 6-1.1-15-3, as amended by P.L.198-2001, with respect to notices of action of the county property tax assessment board of appeals issued after December 31, 2001.

(b) IC 6-1.1-15-5 and IC 6-1.1-15-6, both as amended by P.L.198-2001, apply to petitions for judicial review of final determinations issued under IC 6-1.1-15-4, as amended by P.L.198-2001, after December 31, 2001.

(c) Petitions for review filed under IC 6-1.1-15-3 with respect to notices of action of the county property tax assessment board of appeals issued before January 1, 2002, that are pending before the state board of tax commissioners on December 31, 2001:

- (1) are transferred to the Indiana board of tax review; and
- (2) are subject to the law in effect before amendments under P.L.198-2001.

The state board of tax commissioners shall transfer to the Indiana board of tax review by January 1, 2002, the records relating to each petition for review referred to in this subsection.

(d) Except as provided in subsection (e), appeals initiated under IC 6-1.1-15-5 of final determinations of the state board of tax commissioners issued before January 1, 2002, are subject to the law in effect before amendments under P.L.198-2001.

(e) Appeals initiated under IC 6-1.1-15-5 of final determinations of the state board of tax commissioners issued after June 30, 2001, and before January 1, 2002, are subject to IC 33-3-5-14.7, as added by P.L.198-2001.

(f) IC 33-3-5-14, as amended by P.L.198-2001, and IC 33-3-5-14.2, IC 33-3-5-14.5, and IC 33-3-5-14.8, all as added by P.L.198-2001, apply to appeals initiated under IC 6-1.1-15-5, as amended by P.L.198-2001, of final determinations of the Indiana board of tax review issued after December 31, 2001.

(g) The following, each as amended by P.L.198-2001, apply to refunds on refund claims filed after December 31, 2001:

- IC 6-1.1-26-2
- IC 6-1.1-26-3
- IC 6-1.1-26-4
- IC 6-1.1-26-5.

2002-178-144

SECTION 144. The appointment by the governor of the commissioner of the department of local government finance before the effective date of this act is legalized and validated as if the appointment had been made on or after the effective date of this act.

2002-178-145

SECTION 145. (a) IC 6-1.1-12.1-4.5, as amended by this act, applies only to property taxes first due and payable after December 31, 2002.

(b) This SECTION expires January 1, 2004.

2002-178-146

SECTION 146. (a) IC 13-21-3-15.5, as added by this act, applies to property taxes first due and payable after December 31, 2001.

(b) The following, all as amended by this act, apply to property taxes first due and payable after December 31, 2001:

IC 6-1.1-17-3
IC 6-1.1-17-5
IC 6-1.1-17-13
IC 6-1.1-18.5-9.8
IC 6-1.1-18.5-12
IC 6-1.1-19-2
IC 8-16-3.1-4
IC 13-21-3-12
IC 21-2-15-11
IC 36-8-11-26
IC 36-8-13-5
IC 36-8-19-8.7.

(c) IC 6-1.1-20-1.1, IC 6-1.1-20-3.1, and IC 6-1.1-20-3.2, all as amended by this act, apply to bonds and leases for which notice under IC 6-1.1-20-3.1, as amended by this act, is published and sent after June 30, 2002.

(d) This SECTION expires January 1, 2003.

2002-178-147

(Repealed by P.L.1-2003, SEC.113.)

2002-178-148

SECTION 148. (a) Notwithstanding IC 36-7-13-13(a), the legislative body of a unit that designates a community revitalization enhancement district described in IC 36-7-13-10.7(a), as added by this act, shall send to the department of state revenue by certified mail the updated list:

- (1) required under IC 36-7-13-13(a); and
- (2) listing the:
 - (A) employers in the district; and
 - (B) street names and the range of street numbers of each street in the district;

after the addition of property to the district under IC 36-7-13-10.7(b), as added by this act, not later than May 31, 2002.

(b) Notwithstanding IC 36-7-13-13(b), the department of state revenue shall calculate the:

- (1) gross retail base period amount for the district described in subsection (a) as required under IC 36-7-13-10.7(c), as added by this act; and
- (2) income tax base period amount for the district described in subsection (a) as required under IC 36-7-13-10.7(d), as added by

this act;
not later than June 30, 2002.

(c) Notwithstanding IC 36-7-13-14, for the state fiscal year ending June 30, 2002, the department of state revenue shall calculate the:

- (1) gross retail incremental amount for the district described in subsection (a) using the gross retail base period amount determined under subsection (b)(1); and
- (2) income tax incremental amount for the district described in subsection (a) using the income tax base period amount determined under subsection (b)(2).

(d) This SECTION expires June 30, 2003.

2002-178-149

SECTION 149. IC 4-33-12-6, as amended by this act, applies to riverboat admissions taxes collected after June 30, 2002.

2002-178-150

SECTION 150. (a) This SECTION applies notwithstanding:

- (1) IC 6-1.1-3-7.5;
- (2) IC 6-1.1-10-31.1;
- (3) IC 6-1.1-11;
- (4) 50 IAC 4.2-12-1;
- (5) 50 IAC 16-3-2; and
- (6) 50 IAC 16-4-1.

(b) For purposes of this SECTION, "taxpayer" means a taxpayer that filed a personal property tax return under IC 6-1.1-3 for the March 1, 2001, assessment date:

- (1) in a township having a population of more than ninety-three thousand (93,000) but less than one hundred ten thousand (110,000) located in a county containing a consolidated city; and
- (2) on which the taxpayer reported a total assessed value of personal property of more than fifty-five million dollars (\$55,000,000) and less than fifty-six million dollars (\$56,000,000).

(c) A taxpayer may before January 1, 2003, file an amended personal property tax return for the March 1, 2001, assessment date.

(d) With respect to an amended personal property tax return filed under subsection (c), a taxpayer is entitled to an exemption of tangible personal property under IC 6-1.1-10-29, IC 6-1.1-10-29.3, and IC 6-1.1-10-30 based on:

- (1) the total cost of inventory reported on Schedule B of the Form 103 filed as part of the amended personal property tax return; and
- (2) the ratio reported on the Form 103W filed as part of the taxpayer's return referred to in subsection (b).

(e) A taxpayer shall pay taxes first due and payable in 2002 based on the assessed value of personal property reported in the amended personal property tax return filed under subsection (c).

(f) This SECTION applies only to personal property taxes first due and payable in 2002.

(g) This SECTION expires January 1, 2003.

2002-178-151

SECTION 151. (a) The definitions contained in IC 6-1.1-12.1 apply to this SECTION.

(b) This SECTION applies to a property owner who:

- (1) is located in an economic revitalization area situated in a county having a population of more than one hundred forty-eight thousand (148,000) but less than one hundred seventy thousand (170,000);
- (2) during February 1999, was determined by a designating body to be entitled to receive deductions for redevelopment or rehabilitation of real property under IC 6-1.1-12.1-3;
- (3) has substantially complied with the statement of benefits filed under IC 6-1.1-12.1-3, including job creation or retention, capital investment, and any other requirements imposed by the designating body; and
- (4) failed to timely file deduction applications under IC 6-1.1-12.1-5 for the property tax deduction under IC 6-1.1-12.1-3 with respect to deductions for property taxes first due and payable in 2002.

(c) Notwithstanding IC 6-1.1-12.1, the property owner is entitled to the deductions described in subsection (b)(4) for property taxes first due and payable in 2002 if, before June 1, 2002, the property owner files the deduction applications that would have been necessary to obtain those deductions under IC 6-1.1-12.1.

(d) Assessed value deductions granted under this SECTION apply to the property owner's property taxes first due and payable in 2002.

(e) This SECTION expires December 31, 2003.

2002-178-152

SECTION 152. (a) The excessive tax levy collected as a result of the approval of a referendum held under IC 6-1.1-19-4.5 (as effective January 1, 2002, or as amended by SEA 175-2002) in 2002 is considered a referendum tax levy to which the following apply:

- (1) IC 6-1.1-19-4.5, IC 6-1.1-21-2, IC 21-3-1.7-3.1, IC 21-3-1.7-5, IC 21-3-1.7-6.8, and IC 21-3-1.7-8, all as amended by SEA 175-2002 and this act; and
- (2) IC 21-2-11.6, as added by SEA 175-2002.

(b) To the extent possible, if there is a conflict between the provisions of SEA 175-2002 and this act, it is the intent of the general assembly that the two acts be read together and the policies in both acts be implemented into law.

2002-178-153

SECTION 153. (a) IC 6-1.1-10-42, as added by this act, applies only to property taxes first due and payable after December 31, 2000.

(b) This SECTION expires January 1, 2003.

2002-178-154

SECTION 154. (a) This SECTION applies to each SECTION under this act that:

- (1) takes effect upon passage; and

(2) contains an amendment to a population parameter.

(b) The amendment to a population parameter described in subsection (a) takes effect April 1, 2002, and the amendment to other provisions in a SECTION described in subsection (a) takes effect upon passage of this act.

2002-178-155

SECTION 155. (a) Notwithstanding P.L.29-2001, SECTION 5, the total operating expense for all universities shall be reduced by \$29,000,000 for FY 2002-2003. The amount of the reduction for each main and regional campus equals the amount determined under STEP FOUR of the following formula:

STEP ONE: Determine the amount of the total operating appropriation to the campus.

STEP TWO: Determine the amount of the total operating appropriations for all university campuses.

STEP THREE: Divide the STEP ONE amount by the STEP TWO amount.

STEP FOUR: Multiply the STEP THREE amount by \$29,000,000.

(b) Notwithstanding P.L.29-2001, SECTIONS 5 and 38, and any other law, universities may use a part of the money allocated to them from the appropriation from the BUILD INDIANA FUND (BIF) (IC 4-30-27), FOR THE BUDGET AGENCY, Higher Education Technology, for operating expenses to defray the reductions under subsection (a). The amount available for operating expense may not exceed a total of \$29,000,000. The formula in subsection (a) shall be used to determine the amount main and regional campuses shall receive.

2002-178-156

SECTION 156. (a) Notwithstanding P.L.291-2001, SECTION 4, the appropriation FOR THE DEPARTMENT OF EDUCATION, DISTRIBUTION FOR TUITION SUPPORT, General Fund, Total Operating Expense for the state fiscal year beginning July 1, 2002, and ending June 30, 2003, is \$1,950,029,212 and not \$2,009,587,850.

(b) Notwithstanding P.L.291-2001, SECTION 4, the appropriation FOR THE DEPARTMENT OF EDUCATION, DISTRIBUTION FOR TUITION SUPPORT, Property Tax Relief Fund, Total Operating Expense for the state fiscal year beginning July 1, 2002, and ending June 30, 2003, is \$1,463,506,512 and not \$1,523,065,150.

2002-179-5

SECTION 5. IC 36-3-2-11, as amended by this act, applies to PILOTS first due and payable after December 31, 2002.

2002-181-13

SECTION 13. (a) Notwithstanding IC 25-23.2, as added by this act, the provisions of IC 25-23.2 may not be implemented until July 1, 2003.

(b) Before July 1, 2003, the state board of nursing shall adopt rules

under IC 4-22-2 to administer IC 25-23.2, as added by this act.

(c) This SECTION expires July 1, 2003.

2002-181-14

SECTION 14. (a) Notwithstanding IC 25-23.2-3-5, as added by this act, the health professions bureau shall charge a fee of at least ten dollars (\$10) to a nurse who files a multistate licensure privilege form upon obtaining employment as a nurse in Indiana.

(b) This SECTION expires December 1, 2002.

2002-182-7

SECTION 7. (a) Notwithstanding IC 9-29-3-19, as amended by this act, the requirement that the bureau of motor vehicles may not impose a pull service charge for a requested passenger motor vehicle registration plate containing the numbers set forth in IC 9-18-2-28 for a vehicle issued a license plate under IC 9-18-17 that designates the vehicle as being owned by a former prisoner of war or by a surviving spouse of a former prisoner of war does not apply to license plates issued before January 1, 2003.

(b) This SECTION expires June 30, 2004.

2002-182-8

SECTION 8. (a) Notwithstanding IC 9-18-2-47, as amended by this act, the requirement that personalized license plates be valid for five (5) years and subject to the rules prescribing the cycle for the issuance and replacement of license plates does not apply to license plates issued before January 1, 2003.

(b) Notwithstanding IC 9-18-15-15, as amended by this act, the requirement limiting the year-round acceptance of applications for personalized license plates to the initial issuance of the plates, as provided by IC 9-18-15-15, as amended by this act, does not apply to license plates issued before January 1, 2003.

(c) This SECTION expires June 30, 2004.

2002-183-2

SECTION 2. (a) The environmental quality service council shall do the following:

(1) To the extent the following are involved in the implementation of a rational wetland management policy, consider:

- (A) Protection of surface and ground water quality.
- (B) Control of location of accumulations of water.
- (C) Water rights.
- (D) Agricultural land use.
- (E) Nonagricultural land use.
- (F) Flood control.
- (G) Natural habitat protection.
- (H) Any other matter the council identifies.

(2) Recommend principles for addressing state or local government management of and, with respect to state management, state agency responsibility for:

- (A) land areas with wetland characteristics; and

(B) location and quantity of nonwetland surface water; not under the jurisdiction of the federal Clean Water Act (33 U.S.C. 1341).

(3) Recommend a framework for overall state policy on wetlands to implement the 1996 Indiana Wetland Conservation Plan with goals, objectives, and responsibilities, including recommendations on:

(A) as a long term strategy, the types and functions of wetlands that are valued in particular geographic areas; and

(B) the means for restoring, maintaining, and protecting wetlands, including identification of agencies to be involved and the incentives to be offered.

(4) Recommend the appropriate role and components of banking programs as part of a mitigation rule to foster private initiatives to restore wetlands in the context of a rational statewide wetland strategy.

(5) Consider the options for statutory definition of "private pond" and explain the implications of each option.

(6) Submit its final report on the matters referred to in subdivisions (1) through (5) before November 1, 2002, to:

(A) the governor; and

(B) the executive director of the legislative services agency.

(b) The environmental quality service council shall consult with and otherwise involve in its proceedings for consideration of the matters listed in subsection (a):

(1) the director of the department of natural resources or the director's designee; and

(2) representatives of all federal agencies involved in the regulation of wetlands.

(c) A state agency or board may not:

(1) adopt or amend an administrative rule concerning the definition of "wetlands" or "isolated wetlands"; or

(2) enforce an administrative rule promulgated after January 1, 2002, that concerns the definition of "wetlands" or "isolated wetlands";

until the environmental quality service council has submitted its final report under subsection (a)(6) or May 1, 2003, whichever occurs first.

2002-183-3

SECTION 3. The amendment of IC 13-11-2-265(b) by this act applies retroactively to July 1, 1996. By its amendment of IC 13-11-2-265(b), the general assembly intends that there be no substantive difference in the law as amended by this act and the law as it was constituted before the enactment of P.L.1-1996 (recodification of IC 13).

2002-186-4

Repealed

(Repealed by P.L.186-2002, SEC.4.)

2002-186-4

(Repealed by P.L.186-2002, SEC.4.)

2002-186-15

SECTION 15. (a) As used in this SECTION, "build Indiana fund account" means any of the following accounts in the build Indiana fund established by IC 4-30-17-3:

- (1) The state and local projects account.
- (2) The lottery and gaming surplus account.
- (3) The job creation and economic development account.

(b) As used in this SECTION, "capital project" has the meaning set forth in IC 4-30-17-4.1, as amended by this act.

(c) As used in this SECTION, "eligible recipient" has the meaning set forth in IC 4-30-17-2, as amended by this act.

(d) Any reference to a build Indiana fund account in a law, agreement, or other document that was created before the effective date of this SECTION shall be treated on and after the effective date of this SECTION as a reference to the build Indiana fund.

(e) If an eligible recipient submitted an application to the state for funding from the build Indiana fund before the effective date of this act and the budget agency has available to it the information necessary to process the application, the budget agency shall use the information to process the application without requiring resubmission of the information on any particular form or in a different format.

2002-190-3

SECTION 3. (a) Beginning March 1, 2002, the division of disability, aging, and rehabilitative services established by IC 12-9-1-1 shall provide a quarterly report regarding the status of the closure of Muscatatuck State Developmental Center to the commission on mental retardation and developmental disabilities.

(b) This SECTION expires July 1, 2005.

2002-190-5

SECTION 5. Notwithstanding IC 2-5-27.2-3, as added by this act, an individual who was appointed as a lay member of the Indiana commission on mental retardation and developmental disabilities in 2001 remains a member of the commission until:

- (1) the member resigns; or
- (2) January 1, 2004;

whichever is earlier.

2002-190-6

SECTION 6. (a) Not later than July 1, 2002, the department of workforce development shall establish and operate retraining programs for employees of the Madison state hospital who are terminated from employment due to any downsizing of the Madison state hospital.

(b) This SECTION expires July 1, 2003.

2002-191-3

SECTION 3. IC 5-10.3-8-13, as added by this act, applies to monthly benefits payable by the public employees' retirement fund after

December 31, 2002.

2002-192-192

SECTION 192. Notwithstanding IC 6-7-1-14, revenue stamps paid for before July 1, 2002, and in the possession of a distributor may be used after June 30, 2002, only if the full amount of the tax imposed by IC 6-7-1-12, as effective after June 30, 2002, and as amended by this act, is remitted to the department of state revenue under the procedures prescribed by the department.

2002-192-193

SECTION 193. (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) 50 IAC 2.3 (including the 2002 Real Property Assessment Manual and the Real Property Assessment Guidelines for 2002-Version A) and any other rule adopted by the state board of tax commissioners or the department of local government finance is void to the extent that it establishes a shelter allowance for real property used as a residence. It is the intent of the general assembly that the standard deduction under IC 6-1.1-12-37 is the method through which any relief that would have been granted through a shelter allowance shall be given to taxpayers.

2002-192-194

SECTION 194. (a) This SECTION applies notwithstanding the repeal of 50 IAC 4.2 and 50 IAC 5.1.

(b) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(c) 50 IAC 4.3 and 50 IAC 5.2 apply for purposes of property taxes first due and payable in 2003, except as provided in subsection (d).

(d) For purposes of property taxes first due and payable in 2003, the following apply in the assessment of tangible personal property:

(1) The ten percent (10%) of cost assessment provisions of:

(A) 50 IAC 4.2-6-1 for tangible personal property not placed in service; and

(B) 50 IAC 5.1-9-1 for construction in progress.

(2) The thirty-five percent (35%) inventory valuation adjustment in 50 IAC 4.2-5-13 and 50 IAC 5.1-8-1. However, this subdivision does not apply to the valuation of grain as described in 50 IAC 4.2-5-2 or the alternative inventory valuation method as described in 50 IAC 4.2-5-7.

(e) 50 IAC 4.3 and 50 IAC 5.2 are void to the extent they conflict with this SECTION.

(f) In the manner and by the deadlines stated in IC 6-1.1-16-1, the:

(1) township assessor shall make the adjustments required by subsection (d) to the assessments of all property subject to 50 IAC 4.3; and

(2) department of local government finance shall make the adjustments required by subsection (d) to the assessments of all property subject to 50 IAC 5.1.

(g) The department of local government finance may adopt temporary rules in the manner provided for the adoption of emergency

rules under IC 4-22-2-37.1 to implement this SECTION. A temporary rule adopted under this subsection expires on the earliest of the following:

- (1) The date that another temporary rule adopted under this subsection supersedes the prior temporary rule.
- (2) The date that permanent rules adopted under IC 4-22-2 supersede the temporary rule.
- (3) January 1, 2004.
- (h) This SECTION expires January 1, 2004.

2002-192-195

SECTION 195. (a) For purposes of:

- (1) IC 6-2.5-2-2, as amended by this act;
- (2) IC 6-2.5-6-7, as amended by this act;
- (3) IC 6-2.5-6-8, as amended by this act;
- (4) IC 6-2.5-6-10, as amended by this act;
- (5) IC 6-2.5-7-3, as amended by this act; and
- (6) IC 6-2.5-7-5, as amended by this act;

all transactions, except the furnishing of public utility, telephone, or cable television services and commodities by retail merchants described in IC 6-2.5-4-5, IC 6-2.5-4-6, and IC 6-2.5-4-11, shall be considered as having occurred after November 30, 2002, to the extent that delivery of the property or services constituting selling at retail is made after that date to the purchaser or to the place of delivery designated by the purchaser. However, a transaction shall be considered as having occurred before December 1, 2002, to the extent that the agreement of the parties to the transaction was entered into before December 1, 2002, and payment for the property or services furnished in the transaction is made before December 1, 2002, notwithstanding the delivery of the property or services after November 30, 2002.

(b) With respect to a transaction constituting the furnishing of public utility, telephone, or cable television services and commodities, only transactions for which the charges are collected upon original statements and billings dated after December 31, 2002, shall be considered as having occurred after November 30, 2002.

(c) This SECTION expires July 1, 2004.

2002-192-196

SECTION 196. (a) The definitions in IC 6-2.3-1, as added by this act, apply throughout this SECTION.

(b) The department of state revenue shall adopt the initial rules and prescribe the initial forms to implement IC 6-2.3 (utility receipts tax), as added by this act, before December 1, 2002. The department of state revenue may adopt the initial rules required under this SECTION in the same manner that emergency rules are adopted under IC 4-22-2-37.1. A rule adopted under this SECTION expires on the earlier of the following:

- (1) The date that the rule is superseded, amended, or repealed by a permanent rule adopted under IC 4-22-2 or another rule adopted under this SECTION.

(2) July 1, 2004.

(c) IC 6-2.3, as added by this act, applies to taxable years beginning after December 31, 2002, and to short taxable years described in subsection (d).

(d) This subsection applies to a taxpayer that was doing business in Indiana during a taxable year determined under the Internal Revenue Code for federal income tax purposes that:

(1) begins before January 1, 2003; and

(2) ends after December 31, 2002.

The initial taxable year for a taxpayer under IC 6-2.3, as added by this act, is a short taxable year. Notwithstanding IC 6-2.3-1-11, as added by this act, the initial taxable year of a taxpayer under IC 6-2.3, as added by this act, begins January 1, 2003. The initial taxable year of the taxpayer ends on the day immediately preceding the day that the taxpayer's next taxable year under the Internal Revenue Code begins. The tax imposed under IC 6-2.3, as added by this act, for the initial taxable year of the taxpayer is equal to the tax computed under IC 6-2.3-2, as added by this act, for the taxpayer's full taxable year under the Internal Revenue Code multiplied by a fraction. The numerator of the fraction is the number of days remaining in the taxpayer's taxable year after December 31, 2002, and the denominator is the total number of days in the taxable year under the Internal Revenue Code for the purposes of federal income taxation.

2002-192-197

SECTION 197. (a) This SECTION applies to a taxpayer that:

(1) was subject to the supplemental net income tax under IC 6-3-8 before January 1, 2003; and

(2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002.

(b) A taxpayer shall file the taxpayer's estimated supplemental net income tax return and pay the taxpayer's estimated supplemental net income tax liability to the department of state revenue as provided by law for due dates that occur before January 1, 2003.

(c) Not later than April 15, 2003, a taxpayer shall file a final supplemental net income tax return with the department of state revenue on a form and in the manner prescribed by the department of state revenue. At the time of filing the final supplemental net income tax return, a taxpayer shall pay to the department of state revenue an amount equal to the remainder of:

(1) the total supplemental net income tax liability incurred by the taxpayer for the part of the taxpayer's taxable year that occurred in calendar year 2002; minus

(2) the sum of:

(A) the total amount of supplemental net income taxes that was previously paid by the taxpayer to the department of state revenue for any quarter of that same part of the taxpayer's taxable year; plus

(B) any supplemental net income taxes that were withheld from the taxpayer for that same part of the taxpayer's taxable year.

2002-192-198

SECTION 198. The repeal of IC 6-2.1 by this act applies only to taxable years beginning after December 31, 2002.

2002-192-199

SECTION 199. (a) This SECTION applies to a taxpayer that:

- (1) was subject to the gross income tax under IC 6-2.1 before January 1, 2003; and
- (2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002.

(b) A taxpayer shall file the taxpayer's estimated gross income tax return and pay the taxpayer's estimated gross income tax liability to the department of state revenue as provided in IC 6-2.1-5-1.1 for due dates that occur before January 1, 2003.

(c) Not later than April 15, 2003, a taxpayer shall file a final gross income tax return with the department of state revenue on a form and in the manner prescribed by the department of state revenue. At the time of filing the final gross income tax return, a taxpayer shall pay to the department of state revenue an amount equal to the remainder of:

- (1) the total gross income tax liability incurred by the taxpayer for the part of the taxpayer's taxable year that occurred in calendar year 2002; minus
- (2) the sum of:
 - (A) the total amount of gross income taxes that was previously paid by the taxpayer to the department of state revenue for any quarter of that same part of the taxpayer's taxable year; plus
 - (B) any gross income taxes that were withheld from the taxpayer for that same part of the taxpayer's taxable year under IC 6-2.1-6.

2002-192-200

SECTION 200. (a) This SECTION applies to a corporate taxpayer that:

- (1) pays adjusted gross income tax under IC 6-3-1 through IC 6-3-7; and
- (2) has a taxable year that begins before January 1, 2003, and ends after December 31, 2002.

(b) The rate of the adjusted gross income tax imposed under IC 6-3-2-1 for that taxable year is a rate equal to the sum of:

- (1) three and four-tenths percent (3.4%) multiplied by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred before January 1, 2003, and the denominator of which is the total number of days in the taxable year; and
- (2) eight and five-tenths percent (8.5%) multiplied by a fraction, the numerator of which is the number of days in the taxpayer's taxable year that occurred after December 31, 2002, and the denominator of which is the total number of days in the taxable year.

(c) However, the rate determined under this SECTION shall be rounded to the nearest one-hundredth of one percent (0.01%).

2002-192-201

SECTION 201. IC 6-2.3, as added by this act, applies to taxable years beginning after December 31, 2002.

2002-192-202

SECTION 202. (a) IC 6-3.1-4-6, as amended by this act, applies to expenditures made after December 31, 2002, regardless of when the taxpayer's taxable year begins.

(b) IC 6-3.1-4-1, IC 6-3.1-4-2, IC 6-3.1-4-3, and IC 6-3.1-4-4, all as amended by this act, apply only to taxable years beginning after December 31, 2002.

(c) IC 6-3.1-4-1, IC 6-3.1-4-2, IC 6-3.1-4-3, and IC 6-3.1-4-4, all as effective before the amendments made by this act, apply to taxable years beginning before January 1, 2003.

2002-192-203

SECTION 203. (a) This SECTION applies to the following credits and deduction:

(1) The standard deduction under IC 6-1.1-12-37.

(2) Increased homestead credits under IC 6-1.1-20.9-2.

(b) The deduction and credits under subsection (a) initially apply to property taxes first due and payable in 2003.

2002-192-204

SECTION 204. The legislative services agency shall prepare legislation for introduction in the 2003 session of the general assembly to make conforming changes to statutes, as needed, to reconcile the statutes with this act.

2002-192-205

SECTION 205. IC 4-33-12-1, IC 4-33-13-1, and IC 4-33-13-1.5, each as added or amended by this act, apply to admissions occurring and receipts received after June 30, 2002.

2002-192-206

SECTION 206. IC 6-1.1-10-29 and IC 6-1.1-10-29.5, both as amended by this act, initially apply to assessment dates in calendar year 2003 and property taxes first due and payable in calendar year 2004.

2002-192-207

SECTION 207. IC 6-3.1-24, as added by this act, applies to taxable years beginning after December 31, 2003.

2002-192-208

SECTION 208. (a) IC 6-1.1-12-41, as added by this act, applies to inventory assessments in assessment years beginning after December 31, 2002, and ending before January 1, 2007.

(b) This SECTION expires January 1, 2008.

2002-192-209

SECTION 209. (a) Notwithstanding P.L.291-2001, SECTION 38,

the appropriation from the build Indiana fund FOR THE BUDGET AGENCY, twenty-first century research and technology fund for the biennium is zero dollars (\$0) and not fifty million dollars (\$50,000,000).

(b) There is appropriated to the twenty-first century technology research and technology fund from the state general fund fifteen million dollars (\$15,000,000) for the period beginning July 1, 2002, and ending June 30, 2003. The appropriation made by this section does not revert to the state general fund at the end of any state fiscal year.

(c) There is appropriated to the twenty-first century technology research and technology fund from the state general fund fifteen million dollars (\$15,000,000) for the period beginning July 1, 2003, and ending June 30, 2004. The appropriation made by this section does not revert to the state general fund at the end of any state fiscal year.

2002-192-210

SECTION 210. (a) For property taxes first due and payable in 2003:

(1) a county treasurer who mails a property tax statement under IC 6-1.1-22-8(a)(1) shall include in or mail with the statement:

(A) the following statement:

"Your assessing officials have completed a general reassessment of all real property in the county. The reassessment was necessary to comply with Indiana law. The Indiana General Assembly has increased the property tax replacement credit and made other changes to the property tax system to substantially reduce the effects that this reassessment may have on your property tax liability."; and

(B) a comparison of:

- (i) the amount of the taxpayer's property tax liability; and
- (ii) the amount that the taxpayer's property tax liability would have been had this act not been enacted by the general assembly; and

(2) a county treasurer who transmits a statement to a person's mortgagee under IC 6-1.1-22-8(a)(2) shall, at the time the county treasurer mails statements under IC 6-1.1-22-8(a)(1), mail or cause to be mailed to the last known address of the person:

(A) the statement referred to in subdivision (1)(A); and

(B) the comparison referred to in subdivision (1)(B).

(b) This SECTION expires December 31, 2003.

2002-206-1

(Repealed by P.L.75-2004, SEC.8.)